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Comments: Green is explanatory; Blue is for discussion; Red is issue remaining to be addressed

## Article 14-4: ZONING DISTRICTS

### ~~14-4.1~~ –GENERAL PROVISIONS

#### (A) — Purpose of Dividing City into Districts

(1) — ~~To~~For the purpose of promoting health, safety, morals and the general welfare, the City is divided into districts within which are regulated and restricted the Erection, Construction, reconstruction, Alteration, repair or use of ~~B~~Buildings, other Structures or lands; the height and size of ~~B~~Buildings and other Structures; the percentage of Lot that may be occupied; the size of Yards, courts and other Open Spaces; the density of population and the location and use of ~~B~~Buildings, Structures and lands for trade, industry, residence or other purposes.

(2) — ~~The~~Such regulations referred to in Paragraph (1) of this section are made in accordance with thea General Plan and are designed to lessen congestion in the Streets and public ways; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of lands; to avoid undue concentration of population; and to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements.

(3) The ~~Such~~ regulations and restrictions have been made with reasonable consideration, ~~among other things~~, for the character of each district and its peculiar suitability for particular uses and with a view to conserving the value of Buildings and land and encouraging the most appropriate use of land throughout the City.

#### (B) — Compliance with District Regulations

(1) — ~~A~~No ~~B~~Building, other, Structure, or land shall not be used or occupied and ~~a~~no Building, Structure, or part of a Structure thereof shall not be Erected, Construced, reconstructed, moved, or structurally altered, unless in conformance with the regulations specified in this chapter for the district in which it is located.

(2) — ~~A~~No ~~B~~Building or other Structure shall not hereafter be Erected or altered to exceed the appropriate height limitation; exceed the allowed number of Dwelling Units; accommodate or house a greater number of families; occupy a greater percentage of Lot area; or leave narrower or smaller Front Yards, Rear Yards, Side Yards or other Open Spaces than required by this chapter, or in any other manner be contrary to the provisions of this chapter, particularly the dimensional requirements set forth in Article 14-7.

#### (C) — Area Requirements; Each Building Separate

#### Comment [JBC1]:

##### STILL NEEDS WORK:

Because of the recently adopted agreement between the city and the county regarding annexation, the following changes to chapter 14 are being worked on internally:

1. Adoption of a highway corridor overlay protection zone along I-25 and 599  
(As of 3/9/09, Jeanne Price said this one was not going forward at this time...)

2. Adoption of a rural residential zone – may be an overlay district -- going through ordinance adoption process... will be amendment to 14-4.-- GSmith to forward current version...

3. Adoption in some form of the mountain protection zone from the EZO – this might end up being a modification to the escarpment district ...will be in EZA ordinance, not city ordinance... at least for right now... Status?

NEED TO INCORPORATE THESE CHANGES IN 14-4 AS NECESSARY.

Comment [CLG2]: 'structure' includes 'building'

Comment [j3]: This paragraph seems to just say the same thing as (1) with a few word changes -- should they be combined?

#### Comment [JBC4]:

EXPLANATION:  
Just clarification...

#### Comment [CLG5]:

EXPLANATION:  
Bad practice (confusing) to suggest that anyone has to comply more with one section than any other.

#### Comment [JBC6]:

EXPLANATION:  
Moved to 14-7.4.

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~~No part of a yard, other open space or off-street parking or loading space required about or in connection with any building for the purpose of complying with this chapter shall be included as part of a yard, open space, off-street parking or loading space similarly required of any other building.~~

**~~(D) — Reduction of Lot Area Prohibited~~**

~~No yard or lot shall be reduced in dimension or area below the minimum requirements of this chapter. Newly created yards or lots shall meet at least the minimum requirements established by this chapter.~~

**~~(E) — Regulations are Minimums~~**

~~Within each district, the regulations set by this chapter are minimum regulations, and these minimum regulations shall apply uniformly to each class or kind of buildings or land.~~

**~~(F) —~~ Official Zoning Map**

(1) — The City is divided into zones or districts as shown on the official zoning map, which, together with all explanatory matter on the map thereon, and as amended from time to time, is adopted by reference and declared to be a part of this chapter.

(2) — If, in accordance with the provisions of this chapter and §§ 3-21-1 through 3-21-11 NMSA 1978, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made on the official zoning map within 30 days after the ordinance adopting the change in zoning classification has been approved by the Governing Body.

(23) — The official zoning map is shall be located and secured in the Land Use Department. The Land Use Director ~~department~~ shall be responsible for tracking and maintaining all official ~~zoning~~ changes to the map and shall be the final authority of reference as to the current zoning status of Lands, Buildings and other Structures in the City.

**(34) — Substantive Changes to the Official Zoning Map**

**(a) — Definition**

Changes affecting the zoning district designation of any portion of Land represented on the official zoning map, including ~~but not limited to~~ rezonings, annexations, and the creation of new zoning districts, shall ~~only~~ be made only as the result of action by the Governing Body related to the zoning change, and shall follow the prescribed procedures for such action as set forth in this chapter.

**Comment [JBC7]:**

*EXPLANATION:  
Don't need section D or first phrase of section E at all, given minimum requirements section of 14-1.*

**Comment [JBC8]:**

*EXPLANATION:  
Idea of uniform application of the regulations moved to 14-1....*

**Comment [JBC9]:**

*EXPLANATION:  
Duplicative of section 3(b) below.  
Repetitive information deleted; useful information added to 3(B)(ii).*

**Comment [JBC10]:**

*EXPLANATION:  
No substantive change, just rewritten so not presented as a "definition."*

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~~Substantive changes to the official zoning map are changes that affect the zoning district designation of any portion of land as represented on the map. Examples of substantive changes include: rezoning, annexation, and creation of new zoning districts.~~

~~(b) Procedure~~

~~Substantive changes to the official zoning map shall only be made as the result of action by the Governing Body related to the zoning change, and following the prescribed procedures for such action as described in this chapter.~~

~~(45) Non-Substantive Changes to the Official Zoning Map~~

The Land Use Director may make the following changes to the official zoning map at any time: revisions of style, format, or layout in order to enhance clarity; additions of explanatory text or labels; corrections of spelling or grammar; corrections based on oversight or error and to for the purpose of identifying official actions that are not reflected or are incorrectly reflected; and any other changes affecting the appearance, style, color, or graphic presentation of the map. A revised official zoning map, including the proposed non-substantive changes, shall be administratively approved by the Land Use Director in writing.

**Comment [JBC11]:**

**EXPLANATION:**  
No substantive change, just rewritten so not presented as "definition."

**Comment [JBC12]:**

**EXPLANATION:**  
Removed three-pronged approval requirement for non-substantive changes. If changes are truly non-substantive, then why should they require more review than that?

~~(c) Definition~~

~~Non-substantive changes to the official zoning map are changes that affect the appearance, style, color, or graphic presentation of the map. Examples of such changes include, but are not limited to: revising the style, format, or layout of the map in order to enhance clarity; adding explanatory text or labels; and correcting spelling or grammar. In addition, non-substantive changes shall also include corrections based on oversight or error, for the purpose of identifying official actions that are not reflected or are incorrectly reflected on the official zoning map. Such corrections shall be administratively approved in writing by the City Manager, the Land Use Department Director, and the Geographic Information Systems Manager. (Ord. No. 2007-45 § 30)~~

~~(d) Procedure~~

~~The Land Use Department Director may make non-substantive changes to the official zoning map at any time. The Director may submit a non-substantive change to the Governing Body for their approval if the Director desires the advice and consent of that body. Non-substantive changes submitted to the Governing Body for review do not require a public hearing, public notification, or action by the Planning Commission.~~

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(D) ~~Re~~ zoning Procedure

Any rezoning requirements set forth in this aArticle 14-4 are in addition to the requirements set forth in Section §14-3.5, which apply to all rezonings.

(EG) ~~Rules for Interpretation of District Boundaries~~

Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

(1) d District boundaries indicated as approximately following center lines of Sstreets, highways or alleys shall be construed to follow those~~such~~ center lines;

(2) d District boundaries indicated as approximately following platted Lot lines shall be construed as following those~~such~~ Lot lines;

(3) d District boundaries indicated as approximately following City limits shall be construed as following the~~such~~ City limits;

(4) i In the event of annexation of new areas to the City, the~~such~~ areas shall be ~~considered to be in the~~ zoned R-1 district until otherwise classified. ~~If in the event of changes in the~~ City limits removing territory from the City, district boundaries shall be construed as moving the ~~with~~ City limits;

(5) d District boundaries indicated as approximately following railroad lines shall be midway between the main tracks;

(6) d District boundaries indicated as approximately following center lines of stream beds, other bodies of water or Drainageways shall be construed to follow those~~such~~ center lines;

(7) d District boundaries indicated as approximately parallel to or extensions of features indicated in Paragraphs ~~paragraphs (EG)~~ (1) through (6) of this subsection shall be so construed and at such distance from the features ~~therefrom~~ as indicated on the official zoning map. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map; and

{Ord. No. 2002-37 § 16}

(8) w Where natural or man-made features that actually existing are at variance with those shown on the official zoning map or in other circumstances not covered by this subsection ~~paragraphs (A) through (F) of this section~~, the Governing Body shall interpret the district boundaries; and ~~{Ord. No. 2002-37 § 17}~~

**Comment [CLG13]:** *I think we need to be consistent with this type of cross reference – all in or all out.*

**EXPLANATION:**  
*JC: I took out all the cross-references except this one, which I thought was worth keeping in as overarching procedural information for rezoning in this article.*

**Comment [j14]:** *Is this correct word?*

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(9) — Where a district boundary divides a lot which was in single ownership at the time of passage of this section, the Governing Body may, as a special exception, permit the extension of the regulations for either portion of the lot not to exceed 100 feet beyond the district boundary line into the remaining portion of the lot; provided, however, that such an extension will not be permitted unless it incorporates the full lot into one district's regulations. Extending a district classification more than 100 feet into another district shall require a rezoning action.

**Comment [JBC15]:**

**EXPLANATION:**  
According to GSmith, use of this provision has been attempted one time in 13 years and GB forced applicant to go through typical rezoning process anyway... has such little application now as to be rendered meaningless... (maybe had more utility when current zoning system first put into place and lots were, perhaps, split by original district boundaries... but even then limitation of 100 feet is so constraining...)

## 14-4.2— RESIDENTIAL DISTRICTS

### (A) Purpose

It is the purpose/intention of this section 14-4.2 to distinguish between residential districts primarily on the basis of density. Unless otherwise limited by Section this Article 14-4 or this chapter, a variety of dwelling types to serve a wide range of individual requirements is available throughout the residential districts, including, but not limited to, Single-Family or Multi-Family Dwelling Units, Attached or Detached Dwelling Units, site-built or non site-built Dwelling Units, conventional subdivision arrangements, Zero Lot Line, or, Clustered Developments or Compound developments, as long as they are provided they are in keeping with the overall character of the district and all other applicable requirements are met.

**Comment [j16]:** Couldn't tell if these were separate paragraphs, so I made them subsections; if it supposed to be all one paragraph, take out the subsec designations

### (B) Other Structures and Uses

Structures and uses other than residential Dwelling Units that serve the immediate needs of residential areas are allowed/permitted outright or are permissible as Special Exceptions within the residential districts, subject to restrictions and requirements intended to preserve and protect the residential character of the districts.

**Comment [JBC17]:**

**EXPLANATION:**  
For clarification...

### (C)(A)— R-1, R-2, R-3, R-4, R-5 and R-6 Residential Districts

#### (1) Purpose and Intent

The purpose of the R-1, R-2, R-3, R-4, R-5 and R-6 residential districts is/are intended to be residential areas with low population densities. Certain structures and uses required to serve governmental, educational, religious, noncommercial, recreational and other immediate needs of such areas are permitted outright or are permissible as special exceptions within such districts, subject to restrictions and requirements intended to preserve and protect their residential character.

**Comment [JBC18]:**

**EXPLANATION:**  
Instead of setting this out with unnecessary nuances in each R district...

**Comment [JBC19]:**

**EXPLANATION:**  
Applied to all R districts in new 14-4.2(H) below.

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~~(DB)~~ R-7, R-8 and R-9 Residential Districts

(1) ~~Purpose and Intent~~

These districts are designed to accomplish the following:

(a) ~~To allow~~ permit a greater intensity of residential land use;

(b) ~~To make available a variety of dwelling types to serve a wide range of individual requirements including, but not limited to, single family or multi-family dwellings, attached or detached, arranged as conventional subdivisions, zero lot line, clustered, or compound developments;~~

(be) ~~To~~ encourage infill development on undeveloped or underdeveloped land in order to promote compact urban form and promote efficient use of public infrastructure and services; and

(cd) ~~To~~ allow permit a density that enables affordability.

(2) Rezoning General Requirements

(a) Properties may be zoned R-7, R-8 or R-9 residential districts if consistent with the Santa Fe General Plan or as may be authorized by §14-3.2.

(b) Areas zoned R-7, R-8 or R-9 may be a single tract or multiple tracts and may be of any size provided all other applicable requirements are met.

(c) Any application for R-7, R-8 or R-9 rezoning, ~~except a city-initiated downzoning~~, shall be accompanied by a development plan ~~drawn to scale~~ and other related documents required by the Land Use Director as reasonably necessary to determine compliance with this chapter describing the uses and arrangements of the proposed buildings or building envelopes together with the essential requirements such as lot area, on and off street parking, common or private open space as applicable, height of buildings, vehicular and pedestrian circulation, walls or fences, landscaping or information ~~as may be required by the Land Use Director~~ department to determine compliance with this chapter. The development plan shall take into account anticipated building additions. After recording at the County Clerk and Recorder's Office, the approved development plan, in a format acceptable to the City, shall be filed with the Land Use Department. The Land Use Director may waive the requirements of this section if the purpose of the rezoning is to rezone an already developed area of multiple parcels and property owners so that the zoning corresponds to the density of existing development in the area. (

**Comment [JBC20]:**

**EXPLANATION:**  
Deleting because not really providing any information pertinent to R-7, R-8, or R-9 – all these different dwelling types are available in most of the R districts – moved to section 14-4.2(H) below. Dwelling type should only be mentioned in 14-4 if restrictive...

**Comment [JBC21]:**

**EXPLANATION:**  
Duplicative of 14-3.5(A)(3) – procedural section on rezoning already requires consistency with General Plan.

**Comment [JBC22]:**

**EXPLANATION:**  
Greg Smith confirmed that this sentence doesn't tell you anything about R-7, R-8, and R-9 that isn't already the default. Jeanne Price, too, agreed that it causes more confusion than it solves.

**Comment [CLG23]:** per PC Subcommittee 5/4/9

**Comment [JBC24]:**

**EXPLANATION:**  
Default list of development plan requirements in 14-3.8. All other lists being included and/or moved there.

**Comment [CLG25]:**

**EXPLANATION:**  
LU Director can ONLY request documents that are reasonably necessary to confirm compliance with the code requirements.

**Comment [JBC26]:**

**EXPLANATION:**  
Moved to 14-3.8 as general requirement.

**Comment [JBC27]:**

**EXPLANATION:**  
Moved to 14-3.8, development plan section.

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## **(EC)** —        R-7(I) Single-Family Residential District

### (1) —        Purpose and Intent

       It is the purpose of the R-7(I) district to encourage infill single-family residential development on undeveloped or underdeveloped land within or adjacent to established residential areas, consistent with the lot patterns and densities of those areas. ~~by allowing a density of seven units per acre, so long as the minimum lot size of 4,000 square feet is provided and all other applicable requirements are met.~~

#### **Comment [JBC28]:**

**EXPLANATION:**  
The R-7(I) district was only meant to allow development of undeveloped land within R-5 areas to attain the same lot pattern and density as the surrounding R-5 area.

#### **Comment [JBC29]:**

**EXPLANATION:**  
Moved to 14-7.1-1 standards table.

### (2) —        Rezoning Requirements

Property is eligible for rezoning to R-7(I) if the property is less than five acres in size and located within or adjacent to an established residential area that is, zoned R-4, R-5, or R-6 if ~~provided if~~ all other applicable requirements are satisfied.

       ~~A development plan is not required.~~

#### **Comment [JBC30]:**

**EXPLANATION:**  
Only indicating where development plan or master plan IS required for rezoning...

## **(FD)** —        RC-5 and RC-8 Residential Compound Districts

### (1) —        Purpose and Intent

       The RC-5 and RC-8 residential Compound districts are intended to be medium-density residential areas permitting the development of new Dsingle-family and multiple-family dwelling units housing which is in harmony with the existing character of the City's compound areas.

## **(GE)** — ~~RM Multiple-Family~~ R-10, R-12, R-21, and R-29 Residential Districts

### (1) —        Purpose and Intent

       The purpose of the R-10, R-12, R-21, and R-29 ~~RM~~ district regulations is to are ~~intended~~ designed to make available, at medium- and high-density levels, a variety of dwelling types to serve a wide range of household needs at medium- and high-density levels. ~~including but not limited to single-family, two-family, or multi-family dwellings, attached or detached, arranged as conventional subdivisions, zero lot line, clustered, or compound developments.~~ The regulations also allow related uses in keeping with the overall character of the district. ~~It is~~

#### **Comment [JBC31]:**

**EXPLANATION:**  
Changed name to make clear that the distinguishing characteristic is density, not that only multiple-family dwellings are permitted, as erroneously suggested by the "RM" name... Single-family dwellings also allowed according to text in (1) below and in 14-6 use table.

#### **Comment [JBC32]:**

**EXPLANATION:**  
No significant difference between two-family and multi-family any more.

#### **Comment [JBC33]:**

**EXPLANATION:**  
Added to new 14-4.2(I) below.

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the purpose of these regulations to distinguish between the RM districts primarily by permitted density.

#### ~~(H)~~ — RAC Residential Arts and Crafts District

##### ~~(1)~~ — Purpose and Intent

The purpose of this district is intended to serve and preserve the prevalent characteristics of certain ~~some~~ limited areas of the City. Within these ~~general~~ areas, residential uses are intermixed with small arts and crafts shops, ~~and~~ studios and galleries where the goods traded are custom-produced in small quantities and, often one of a kind; where the arts or crafts are taught to small numbers of people; or where the persons engaged in arts and crafts activities are not numerous. It is not intended that this district be applied to new areas not having these characteristics.

#### Comment [JBC34]:

##### STILL NEEDS WORK:

Is this description accurate? "studios"?  
"craft shops"? "custom-produced"?  
GSmith to look into obtaining input from  
economic development, business  
licenses issuer...

#### ~~(I)~~ — MHP Mobile Home Park District

##### ~~(1)~~ — Purpose

##### ~~and Intent~~

The Mobile Home Park district is intended to provide premises for the continuous accommodation of more than two single-family, mobile homes ~~and dwellings~~.

##### ~~(2)~~ — Rezoning Requirements

(a) — Property is eligible for rezoning to MHP if the property is a minimum of two acres in size and if, provided all other requirements of this chapter are satisfied.

(b) — Any application for MHP rezoning shall be accompanied by a development plan and other related documents required by the Land Use Director as reasonably necessary to determine compliance with this chapter ~~as may be required by the Land Use Director.~~

[RESERVED]

Regulations Applicable to ~~of the districts~~

#### 14-4.3 — NONRESIDENTIAL AND MIXED-USE DISTRICTS

#### Comment [JBC35]:

##### EXPLANATION:

Language stems from 47-10-2(c) NMSA, which says that "mobile home park", "trailer park" or "park" means a parcel of land used for the continuous accommodation of twelve or more occupied mobile homes"  
GSmith said that the city has never required twelve or more homes to be considered a park...  
Chose "more than two single-family, mobile home dwellings" language with the recognition that while 1) any cluster of mobile homes will be considered a mobile home park by the public, 2) the min. district size is 2 acres, so making the text 'one or more' might result in a two-acre park with only one or two mobile homes (and one mobile home or less per acre does not seem sufficient density to constitute a mobile home park), and that 3) families might want two mobile homes in close proximity without there being any intent to bring more mobile homes into the cluster...

#### Comment [JBC36]:

##### EXPLANATION:

Since 14-4 is referred to in rezoning cases, any restrictions on initial district size should be listed here, as opposed to 14-7...



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(A) — C-1 Office and Related Commercial District

(1) — Purpose and Intent

The purpose of this district is intended to provide areas for governmental offices, functions, for professional and business offices, medical and dental offices or clinics, Personal Care Facilities for the Elderly, and Hospitals, laboratories, Pharmacies and related complementary businesses establishments that providing sale or service of office equipment, medical and dental supplies, and the compounding and dispensing at retail of pharmaceuticals and sales of office supplies. It is intended that these districts will serve as a transitional buffer areas between more intense commercial use districts and residential districts.

**Comment [JBC37]:**

**EXPLANATION:**

GSMITH comment that including "commercial" in name of district was confusing to applicants...  
CLG thinks related commercial is allowed and taking out the permissive language is confusing...

**Comment [JBC38]:**

**STILL NEEDS WORK:**

One of GSMITH's suggestions was to differentiate between C-1 and C-4 on the basis of density (CLG: maybe intensity?). This issue should ultimately be addressed in 14-7... though could be reflected in C-1 and C-4 with "low" and "high"...

GSMITH thinking about whether and how C-1 density should be limited – idea of RM-21 unless abutting low-density residential area and then no more than RM-10 or RM-LD.

(B) — C-2 General Commercial District

(1) — Purpose and Intent

This district is Districts in this category are intended to include areas along Streets carrying large volumes of traffic where commercial uses already exist, have displaced or are displacing residential development or are moving in on vacant lands are appropriate. Regulations are designed to guide future additions or changes so as to discourage extension of existing and formation of future strip Commercial Development commercial slums, to preserve the carrying capacity of the Streets, and to provide for Off-Street Parking and loading. It is not the intent of this article to encourage the extension of existing strip commercial areas, nor is it intended for this district to be used as a means for or the creation of new strip commercial developments.

**Comment [JBC39]:**

**EXPLANATION:**

Duplicative of previous sentence, as revised.

(C) — C-4 Limited Office, and Retail, and Arts and Crafts District

(1) — Purpose and Intent

It is the intent of this district is intended to provide provides a specific area for limited office, retail, and arts and crafts Commercial Uses, of a nature not likely to generate heavy vehicular traffic. The C-4 overlay district recognizes the need to protect residential property owners who are adversely affected by heavily-trafficked City roads conditions of St. Francis Drive, while at the same time and to maintaining the residential character of the area surrounding these roads. St. Francis Drive. It is intended that this district will serve as a transitional buffer area between heavily-trafficked roads St. Francis Drive and the adjoining residential districts.

**Comment [CLG40]:**

**EXPLANATION:**

According to GSMITH, it was always the intention of C-4 to allow for arts and crafts commercial uses – see former "(2) Lands to Be Considered" below. To clarify exactly what arts and crafts commercial uses are permitted here, will indicate in 14-5 AC overlay section that an AC overlay is permitted in C-4. That way, both RAC and AC overlay uses will be permitted in C-4.

**Comment [JBC41]:**

**EXPLANATION:**

Not an overlay!

**Comment [JBC42]:**

**EXPLANATION:**

Goal is to allow for additional C-4 districts along heavily-trafficked corridors in addition to St. Francis...

(2) — Lands to Be Considered

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~~A proposal for development as a limited office and arts and crafts overlay zone district may be submitted for land within the area defined in the C-4 overlay zone district map, attached hereto and incorporated herein as if fully set out as Exhibit A.\*~~

**Comment [JBC43]:** Deleted because simply confusing. Will make sure 14-6 use table reflects that arts and crafts uses available in RAC and AC are available in C-4 as well....

### ~~(3) Standards~~

~~Commercial uses as specified by the C-4 overlay district are permitted provided that the following standards are met:~~

~~(a) On new construction, a six-foot high wall is required at the rear of the property to buffer noise caused by traffic on St. Francis Drive, except as provided for in §14-5.2(D)(9).~~

**Comment [JBC44]:**  
**EXPLANATION:**  
Moved to 14-7.2(B)(2)

~~(b) In addition to the parking and loading requirements, all egress from commercial parking areas is required to exit in a forward motion. No backing of a vehicle onto St. Francis Drive is allowed.~~

**Comment [JBC45]:**  
**EXPLANATION:**  
Obsolete – duplicative of 14-8.6(B)(1)(a).

### (2) Boundaries

(a) Only property within the C-4 zoning eligibility area, as defined in the C-4 Zoning Eligibility Map, shall be eligible for rezoning to C-4. 1

**Comment [JBC46]:**  
**EXPLANATION:**  
Added this subsection to make clear that, even within area defined by C-4 maps, must apply for C-4 rezoning... not automatic...

(b) A proposal for an additional C-4 zoning eligibility area, surrounding another heavily- trafficked road not already included within the existing C-4 Zoning Eligibility Map, constitutes a Chapter 14 text amendment and shall follow the procedures set forth in Section chapter (§14-3.3).

**Comment [CLG47]:**  
**EXPLANATION:**  
Should be called something other than "C-4 overlay zone district map" to distinguish from overlay and future land use maps ...  
**STILL NEEDS WORK:**  
Make change to Exhibit A in Appendix as well...

### (34) Application for Rezoning Requirements

(a) Application for C-4 overlay district zoning shall be accompanied by a development plan and other related documents required by the Land Use Director as reasonably necessary to determine compliance with this chapter as may be required by the Land Use Director. shall be accompanied by a development plan drawn to scale and showing the arrangement of the proposed building together with the essential requirements such as lot area, parking, location of buildings and uses to be included, gross floor area and height of buildings, means of ingress and egress to public streets, and other plans as may be required by the Land Use Department.

1 The C-4 Zoning Eligibility Map is set forth in the Appendix to this chapter as Exhibit A and is incorporated herein by in this article by reference.

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(b) ~~Rezoning of these tracts will be on a case by case basis pursuant to the procedures set out in §14-3.5.~~

(c) ~~In addition, rezoning of tracts of land with direct vehicular applications, consideration by the Planning Commission and the Governing Body, the approval or disapproval of curb cuts onto St. Francis Drive. The approval of the plan will be the basis for development of the property. Any variance from the plan is prohibited unless first approved by the Board of Adjustment as set out in the procedures in §14-3.16.~~

(d) ~~The signed, original mylar of the development plan shall be filed with the City Land Use Department. (Ord. No. 2007-45 § 30)~~

**(D) ~~HZ Hospital Zone Districts~~**

**(1) ~~Purpose and Intent~~**

**(a) ~~Christus St. Vincent Hospital~~ Zone District**

~~It is intended that an HZ district may overlay existing districts. If~~

~~The Christus St. Vincent HZ district section recognizes the need for medical and dental offices, pharmacies and continuing care communities in proximity to Christus St. Vincent Hospital, while at the same time maintaining the low density residential character of the areas surrounding Christus St. Vincent Hospital. Professional office and business uses, subject to the more restrictive design standards of the HZ district are also considered to be consistent with the adjoining C-1, professional office uses.~~

**(b) ~~Las Soleras Hospital~~ Zone District**

~~The Las Soleras HZ district is intended to accommodate a hospital and business and professional office and business uses in the Las Soleras Development.~~

**(2) ~~Lands to Be Considered~~**

~~A proposal for development as a hospital zone district may be submitted for lands within the area as defined in the hospital zone district map, incorporated herein by reference as Exhibit B\*~~

**Comment [CLG48]:**

**EXPLANATION:**  
Did not specify that traffic study needs to be submitted for rezoning because development plans already require traffic studies...

**Comment [JBC49]:**

**EXPLANATION:**  
Made curb cuts default development plan requirement, 14-3.8...

**Comment [JBC50]:**

**EXPLANATION:**  
Unnecessary.

**Comment [JBC51]:**

**EXPLANATION:**  
Procedural information regarding who can approve variations on already-approved development plans should be laid out in 14-3.8 or 14-3.16... indicated as much in both potential sections.

**Comment [JBC52]:**

**EXPLANATION:**  
Filing requirement already in 14-3.8.

**Comment [JBC53]:**

**EXPLANATION:**  
Not an overlay! Just an eligibility area...

**Comment [JBC54]:** **EXPLANATION:**

Unclear why this language was here in first place and, according to GSmith, has little importance currently, since there are only a handful of parcels of property still available for rezoning in the Christus St. Vincent HZ eligibility area and all the surrounding properties are HZ or C-1... Also, use table 14-6.1-1 makes clear that business and professional offices are permitted in HZ...

**Comment [JBC55]:** **EXPLANATION:**

More closely following language of use table 14-6.1-1.

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

as prepared by the Land Use Department, a copy of which follows this chapter. (Ord. No. 2007-45 § 30)

(2) — Boundaries

(a) — Christus St. Vincent HZ district -- Property within the area defined in the Christus St. Vincent HZ Eligibility map shall be eligible for rezoning to HZ.2

(b) — Las Soleras HZ district – Property within the area defined in the Las Soleras HZ district map has already received the HZ zoning designation. It is not intended that this district be expanded.

(3) — Application for R — Rezoning

~~twenty one thousand seven hundred eighty~~

Application for HZ district zoning shall be accompanied by a site plan drawn to scale and showing the arrangement of the project together with the essential requirements such as lot area, parking, location of buildings and the uses to be included, square feet of gross floor area and height of building, means of ingress and egress to public streets, and the type of visual screening, such as walls, planting, fences, or any additional submittals required by the Land Use Department. The signed, original mylar of the development plan shall be filed with the City Public Works Department. (Ord. No. 2007-45 § 30)

(4) — Development Plan

~~(a) — Prior to submittal of a building permit in the Las Soleras HZ district, a development plan shall be approved by the Planning Commission. The development plan shall be drawn to scale and show the arrangement of the project together with the essential requirements such as lot area, parking, location of buildings and the uses to be included, square feet of gross floor area and height of buildings, means of ingress and egress to public streets, and the type of visual screening, such as walls, planting, fences, or any additional submittals required by the Land Use Department. In addition for a hospital, preliminary building elevations shall be part of the development plan application including views from I-25 and Cerrillos Road. The signed, original mylar of the development plan shall be filed with the Land Use Department.~~

2 The Christus St. Vincent HZ Eligibility map and Las Soleras HZ district map are set forth in the Appendix to this chapter as Exhibit B(1) and Exhibit B(2), respectively, and both are incorporated herein in this article by reference.

**Comment [JBC56]: STILL NEEDS WORK:**  
Need to make sure that maps are renamed accordingly...

**Comment [JBC57]:**  
**EXPLANATION:**  
Just to clarify that, even within area defined by Christus St. Vincent HZ Eligibility map, must apply for HZ rezoning... not automatic...

**Comment [JBC58]:**  
**EXPLANATION:**  
Las Soleras HZ district operates differently. All property within the new Las Soleras district is already rezoned to HZ. Do not have to apply for further rezoning. And no property beyond the district boundaries is to be added to the district.

**Comment [CLG59]:**  
This seems odd – how much of a hospital or even doc offices can you put on ½ acre?  
**EXPLANATION:**  
(JC) Took out minimum district size requirement altogether since would only apply to Christus and there are only a handful of parcels left in the Christus floating zone that can be rezoned at this point. Made more sense when district was new...

**Comment [CLG60]:**  
**EXPLANATION:**  
Removed rezoning requirement of development plan as per GSmith – the thought was that there was so little property left within the Christus St. Vincent HZ Eligibility Zone to rezone to HZ, that no site plan or development plan was necessary.

**Comment [JBC61]:**  
**EXPLANATION:**  
Moved to 14-3.8 as new development plan trigger. ALL development in Las Soleras HZ required development plan.

**Comment [JBC62]:**  
**EXPLANATION:**  
Already all in 14-3.8 as default development plan requirements...

**Comment [JBC63]:**  
**EXPLANATION:**  
Moved to 14-3.8 as Las Soleras HZ district-specific development plan requirement...

**Comment [JBC64]:**  
**EXPLANATION:**  
Already in 14-3.8...

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~~\_\_\_\_\_~~ (b) ~~\_\_\_\_\_~~ Prior to the submittal for development plan approval for each phase of development within the Las Soleras HZ district, the applicant shall conduct and submit a market analysis and fiscal impact analysis that analyzes in detail the need for the proposed hospital. The market analysis shall address demand, projected service capacity and build-out; identify primary and secondary market area; estimate projected revenue and expense and also identify the scale and extent of local competition. The fiscal impact analysis shall contain an estimate of net local public costs, including capital outlay and operating expenses, and revenues attributable to the proposed project. Additionally, as a condition for and prior to the granting of development plan approval, any new hospital to be constructed shall participate in meetings with the Santa Fe County Healthy Policy Planning Commission, Christus St. Vincent Hospital and all local and regional health care providers to address impacts of dual hospitals in the community.

~~\_\_\_\_\_~~ (E) ~~\_\_\_\_\_~~ BCD Business-Capitol District

~~\_\_\_\_\_~~ (1) ~~\_\_\_\_\_~~ Purpose and Intent General Provisions

~~\_\_\_\_\_~~ In recognition of the fact that the economic health of the Ccity depends on the economic viability of the Business-Capitol district, the purpose of the Business-Capitol district is to provide for intended for a mixture of land uses, including residential uses, designed to promote the district's economic wellbeing while preserving the unique architecture, Townscape, and aesthetics that foster a strong tourist industry and sustain the quality of life, sense of community, and historical identity in the district and the city.

~~\_\_\_\_\_~~ (2) ~~\_\_\_\_\_~~ Boundaries

~~\_\_\_\_\_~~ (a) ~~\_\_\_\_\_~~ The Business-Capitol district is composed of Ttownscape subdistricts and Redevlopment subdistricts. The district and its subdistricts are defined by the official zoning map.

~~\_\_\_\_\_~~ (b) ~~\_\_\_\_\_~~ Changes to boundaries of the Ttownscape subdistricts or redevelopment subdistricts, including designations of new Ttownscape and Redevlopment subdistricts, are considered rezonings and must follow the procedures set forth in Section (§14-3.5). Designations of new Ttownscape subdistricts are ~~also~~ considered Chapter 14 text amendments and must ~~-follow~~ the procedures set forth in Section 14-3.3.

~~\_\_\_\_\_~~ (3) ~~\_\_\_\_\_~~ Townscape subdistricts

~~\_\_\_\_\_~~ (a) ~~\_\_\_\_\_~~ The existing Townscape subdistricts include: Alameda Street, Barrio de Analco, Cerrillos Road, Don Gaspar, East Marcy/East Palace, Loretto, Marcy, McKenzie Street, Old Santa Fe Trail, Plaza/San Francisco, Rosario Boulevard/NW Paseo de Peralta, Sandoval/Montezuma, State Capitol, and Westside.

**Comment [JBC65]:**

**EXPLANATION:**

Moved to 14-3.8 as a Las Soleras HZ district-specific development plan requirement. A little awkward because it's technically a pre-development plan requirement. But seems to make the most sense to keep it with the dev. plan requirements...

**Comment [JBC66]:**

**EXPLANATION:**

*Clarion: suggests that BCD's residential uses are too limited – revised code should call for residential use in BCD and live/work space, too. Indicated in 14-6 as well...*

**Comment [JBC67]:**

**STILL NEEDS WORK:**

Remove Exh. C from the Appendix – BCD already accurately represented on official zoning map.

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(b) Purpose

The Townscape subdistricts are intended to:

(i) preserve the overall aesthetic quality of the Business-Capitol district;

(ii) maintain diversity among the various subdistricts; and

(iii) protect the unique features, recognizable historic character, and other common identifying characteristics of each subdistrict.

(c) Rezoning requirements

Property is eligible for rezoning to a Townscape subdistrict if the Land is located within or adjacent to the Business-Capitol district and meets all other requirements of this chapter;

(4) Redevelopment subdistricts

(a) Purpose and Intent

Redevelopment subdistricts are intended to provide for:

(i) infill and a limitation of sprawl through the efficient use of land;

(ii) optimum use of public infrastructure;

(iii) a mix of land uses, including residential uses;

(iv) comprehensive site planning;

(v) public benefit uses;

(vi) urban design innovation;

(vii) an enhancement of the economic vitality of the district;

(viii) the preservation and enhancement of the character and quality of the area in which the subdistrict is located, through elimination of any potentially

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significant adverse impacts or potentially irreversible adverse impacts upon the community, surrounding neighborhoods or other approved project plans; and

(ix) ~~r~~—Redevelopment of areas with weak Townscape qualities or of areas that are undergoing change.

**Comment [JBC68]:**

EXPLANATION:  
No change, just changed location...

(b) — Rezoning requirements:

**Comment [JBC69]:**

EXPLANATION:  
This was previously listed under the heading of “Objectives for Establishing Development Standards” and read “Redevelopment of areas with weak townscape qualities or of areas that are undergoing change should be encouraged.” – not quite the same as purpose and intent, but fits here well...

(i) — ~~p~~Property is eligible for rezoning to a redevelopment subdistrict if:

~~A~~ ~~(A).~~ ~~t~~the land is located within or adjacent to the Business-Capitol District and encompasses at least three acres, exclusive of dedicated Streets and Rights-of-Way, or a complete City block, whichever is smaller; and

**Comment [CLG70]:**

EXPLANATION:  
This means that areas adjacent to the BCD can be rezoned BCD/redevelopment subdistrict, i.e. -- would become part of the BCD and be rezoned to redevelopment simultaneously...

~~{B.}~~ —the existing infrastructure has the capability to support or to be modified to support the allowed floor area ratio set forth below; and

(ii) — ~~t~~The baseline Floor-Area Ratio shall be two and five-tenths to one (2.5:1); -provided, however, that ~~such~~ ~~such~~ a Floor-Area Ratio shall not be allowed if it is judged to be incompatible with an adjacent neighborhood or Townscape subdistrict; and

**Comment [JBC71]:**

EXPLANATION:  
According to Greg Smith, the baseline FAR is decided (or at least addressed) at the master plan stage in redevelopment subdistricts and should, therefore, be left as a rezoning requirement. (There is no equivalent FAR rezoning requirement in the townscape subdistricts because there is no plan requirement when rezoning to townscape and, thus, no mechanism by which to get the issue of FAR before the GB. Instead, baseline FAR in the townscape subdistricts is a substantive regulation found in 14-7.)

— (iii) — ~~r~~Requests for rezoning to Redevelopment subdistricts shall be accompanied by a master plan and other related documents ~~required by the Land Use Director as reasonably necessary to determine compliance with this chapter as may be required by the Land Use Director;~~ and

(5) — Redevelopment subdistrict property is eligible for rezoning to Townscape subdistrict provided that:

(a) —development of the Redevelopment subdistrict is substantially complete, which determination shall be made by the Governing Body; and

**Comment [JBC72]:**

EXPLANATION:  
Greg Smith wants to encourage the rezoning of redev. to townscape so that staff doesn't have to endlessly consult master plans vs just going by the code regs...

(b) — the property is located in or adjacent to the Townscape subdistrict it will become part of if the rezoning is approved, and

(c) — all other requirements of this chapter are met.

**Comment [JBC73]:**

EXPLANATION:  
Options are to allow GB to decide when development is substantially complete or to try and define it...

(a) — Legislative Findings, Purpose and Intent

The Governing Body of the City has determined that:

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(i) — Economic conditions affecting the Business-Capitol District have changed substantially since the adoption of the present comprehensive zoning plan for those areas of the city within the Business-Capitol District;

(ii) — There is a need to promote the economic health of the city by promoting and preserving the economic viability of the Business-Capitol District;

(iii) — The economic viability of the city will be promoted through a mixture of land use in the Business-Capitol District, and by the adoption of a comprehensive zoning plan based on the concept of townscape subdistricts, which is set forth in this section;

(iv) — Preservation of unique architecture, townscape and aesthetics within the Business-Capitol District is essential to preserve and foster a strong tourist industry, and to sustain the quality of life, sense of community and historical identity in the Business-Capitol District and in the city; and

(v) — The provisions of this section are intended to provide a flexible, practicable and effective comprehensive zoning plan for the Business-Capitol District.

**Comment [JBC74]:**

**EXPLANATION:**  
Legislative findings provide little information for the practitioner – any useful information put in introductory language at top of section.

**(b) — Boundaries**

(i) — The areas subject to inclusion within the Business-Capitol District are defined by the Business-Capitol District map attached hereto and incorporated herein, as Exhibit "C."\* It includes the central business district, the capitol office complex and environs, the Guadalupe Street area and the federal and municipal office complexes, and certain residential areas.

(ii) — The townscape subdistricts within the Business-Capitol District are defined by the townscape subdistrict map attached hereto and incorporated herein, as Exhibit "C."\*

(iii) — Changes to boundaries of the Business-Capitol District or townscape subdistricts and designations of new redevelopment districts are considered to be rezonings and must follow the procedure for rezonings set forth in this chapter.

**Comment [JBC75]:**

**EXPLANATION:**  
Simplified and moved to (2)(a) and (b) above.

**(c) — Applicability (Ord. No. 2007-14 § 1; Ord. No. 2008-10 § 7)**

Within the Business-Capitol District, the Design Review Committee shall review the following activities:

**(i) — Major Projects**



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A. — Any applicant for a building permit for a major project within the Alameda Street, Cerrillos Road, or Westside Townscape subdistricts, or within any Redevelopment Subdistrict, shall first submit an application to the Design Review Committee for design review, and then, if the project is in a historic district, to the Historic Design Review Board for approval.

B. — For purposes of this section, a "major project" shall be defined as 1) any project with a floor area ratio above the base line; or 2) sited on a parcel larger than one quarter acre; or 3) with more than 10,000 square feet of gross floor area. However, in the railyard redevelopment subdistrict, a major project shall be defined only as a project with more than 10,000 square feet of gross floor area.

(ii) — Minor Projects

A. — Any applicant for a building permit in a historic district for a minor project in a redevelopment district shall first submit to the staff for design review, and then to the Historic Design Review Board for approval.

B. — For purposes of this section, a "minor project" shall be defined as any project situated on a parcel of one quarter acre or smaller and with 10,000 square feet of gross floor area or less; or any project within the railyard redevelopment subdistrict with 10,000 square feet or less.

(iii) — Development plans as set forth in §14-3.8(A).

(d) — Procedures

Submittals for projects over which the Design Review Committee has jurisdiction shall be made by the applicant to the Land Use Department and shall be transmitted to the committee following review by staff in accord with §14-4.3(E)(3)(b)(v). Following its review, the committee shall make its recommendation in accord with the provisions of §14-4.3(E)(3)(b)(v). (Ord. No. 2007-45 § 30)

(e) — Uses (Ord. No. 2002-37 § 19)

(i) — All permitted uses allowed in other districts of this chapter are permitted within the Business Capital District subject to the provisions of this section. In areas encompassed by the boundaries of the Historic Districts, all provisions of those districts shall apply and control, and where inconsistent with the Business Capital District provisions, the provisions of the Historic Districts shall control.

(ii) — Drive-in uses shall be located in the Rosario Boulevard, Northwest Paseo de Peralta, Sandoval/Montezuma, and Cerrillos Road, subdistricts where traffic generated by the use shall not substantially interfere with existing vehicular and pedestrian traffic.

**Comment [JBC76]:**

**STILL NEEDS WORK:**

Need to make sure that HBoard layer of review on BCD projects is set out clearly in historic section...

**Comment [JBC77]:**

**EXPLANATION:**

This sort of internal procedure isn't specified in other parts of the code – unnecessary here. GSmith concurred ...

**Comment [JBC78]:**

**EXPLANATION:**

With elimination of BCD DRC, all this procedural information can be deleted. Development plan procedure will follow 14-3.8 like all other districts...

**Comment [JBC79]:**

**EXPLANATION:**

Uses section doesn't belong in 14-4.

**Comment [JBC80]:**

**EXPLANATION:**

Indicated in 14-6 that table needs to be revised to reflect that all uses are permitted in BCD – then this isn't needed in 14-4...

**Comment [JBC81]:**

**EXPLANATION:**

Deleting because duplicative of general provisions in overlay regs (14-5.1) and H regs (14-5.2(A)(5)) that H regs control.

**Comment [JBC82]:**

**EXPLANATION:**

Indicated in 14-6 that drive-in use needs to be added and may need to be further explained in use-specific standards section since not permitted in all subdistricts of the BCD (also, need to make clear that such use is PROHIBITED in BCD subdistricts where not permitted!)

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~~(f)~~ Staff Advisory Opinions

~~(i)~~ For projects in the Business Capitol District that are within a historic district, city staff shall render advisory opinions to the Historic Design Review Board.

~~(ii)~~ For projects for which the applicant seeks a land-use intensity credit for residential use, city staff shall render an advisory opinion to the Governing Body that shall make a determination regarding the proposed land-use intensity credit.

**Comment [JBC83]:**

**EXPLANATION:**  
*Deleting -- staff renders advisory opinions to a lot of boards and committees, unnecessary to specify in code. Added general provision to this effect in 14-2.10, Land Use Director section*

~~(g)~~ Appeals

~~(i)~~ Any person jointly or severally aggrieved by any decision of the Design Review Committee on a major project in a redevelopment subdistrict, or staff in all other projects may submit to the Governing Body a petition duly verified, such petition constituting an appeal, setting forth that such decision is illegal in whole or in part, specifying the grounds of the illegality. The Design Review Committee or staff on notification of the submissions shall forthwith transmit to the Governing Body all the papers constituting the record on which the action appealed from was taken. The Governing Body shall, after notice to the public given in the manner as prescribed in §14-5.4 and after notice to the interested parties, hear and decide such appeal.

~~(ii)~~ Such appeal shall be taken within 30 days of the date at which the action appealed from was taken.

~~(iii)~~ Such appeal to the Governing Body shall be deemed to constitute a stay of legal proceedings.

**Comment [JBC84]:**

**EXPLANATION:**  
*Moved to 14-7(B)(1)(b).*

~~(h)~~ Metropolitan Redevelopment Agency

For any property subject to the planning and development provisions contained in § 6-13, the rules and procedures regarding review of a redevelopment subdistrict plan by the metropolitan redevelopment agency contained therein shall apply.

**Comment [JBC85]:**

**EXPLANATION:**  
*All contained in new appeals section.*

**Comment [JBC86]:**

**EXPLANATION:**  
*Moved to 14-3.8 because this is relevant to the review of redevelopment master plans of BCD land that is city owned or controlled.... It describes the master plan review procedure, not the rezoning requirements*

**STILL NEEDS WORK:**

*Please note SFCC 6-13.3 -- need to change language of SFCC 6-13 if eliminating BCD DRC:*

**6-13.3 Powers and Duties.**

*A. The metropolitan redevelopment agency shall be the sole agency reviewing and recommending to the governing body a metropolitan redevelopment plan, as required by 3-60A-9 NMSA 1978, or any redevelopment subdistrict plan of city owned or controlled land within business capitol district (BCD) redevelopment subdistricts... Plans for minor or major projects in the BCD redevelopment subdistrict **shall be reviewed by the business capitol district design review committee** as set forth in Section 14-26 SFCC 1987. (emphasis added)...*

~~(2)~~ Townscape Subdistricts

~~(a)~~ General Provisions

~~(i)~~ Objectives for Establishing Development Standards

The establishment of development standards by townscape subdistrict is based on the premise that each subdistrict is unique and recognizable as having a common identifying character. Often the visual identity of a townscape is reinforced by reference to a historic period of

**Comment [JBC87]:**

**EXPLANATION:**  
*Townscape subdistricts section moved up to (3).*

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development, and the continuing development of the city can be better understood if subdistricts are differentiated; therefore:

A. ~~\_\_\_\_\_~~ The overall aesthetic quality of the city within the Business Capitol District should be preserved;

B. ~~\_\_\_\_\_~~ The best of existing qualities should be preserved, but diversity of design should be encouraged;

C. ~~\_\_\_\_\_~~ Diversity among subdistricts should be preserved;

D. ~~\_\_\_\_\_~~ The historic character of subdistricts should be protected;

E. ~~\_\_\_\_\_~~ The unique features of each subdistrict should be preserved;

F. ~~\_\_\_\_\_~~ New development should be harmonious with the physical characteristics and design objectives of each subdistrict; and

G. ~~\_\_\_\_\_~~ Redevelopment of areas with weak townscape qualities or of areas that are undergoing change should be encouraged.

(ii) ~~\_\_\_\_\_~~ Standards; Applicability; Submittals; H District

A. ~~\_\_\_\_\_~~ All projects within townscape areas of the Business Capitol District including projects in redevelopment subdistricts shall be reviewed for conformance with the specific design objectives set forth in this section, and also with the townscape-specific dimensional and development standards set forth in Article 14-7.

B. ~~\_\_\_\_\_~~ In addition to other required submittals, all applications for building permits in townscape and redevelopment subdistricts shall be accompanied by other materials as set forth in the user's guide.

C. ~~\_\_\_\_\_~~ All project plans for areas within historical district boundaries shall comply with the requirements of this chapter.

~~(b)~~ ~~\_\_\_\_\_~~ Design Objectives for Individual Townscape Subdistricts

The design objectives for the individual subdistricts include:

(i) ~~\_\_\_\_\_~~ Alameda Street Subdistrict

A. ~~\_\_\_\_\_~~ Permit more intensive development because of the lack of historical or well-defined townscape characteristics;

**Comment [JBC88]:**

**EXPLANATION:**

Useful language from here moved to (2)(b) – townscape purpose and intent, and 14-7.3(B)(3) – development and design objectives for individual townscape subdistricts...

**Comment [JBC89]:**

**EXPLANATION:**

This language moved to 4(a) – purpose and intent of redevelopment subdistricts...

**Comment [JBC90]:**

**EXPLANATION:**

Duplicative of 14-4.1(B)(2)...

**Comment [JBC91]:**

**EXPLANATION:**

There is no user's guide.

**Comment [JBC92]:**

**EXPLANATION:**

Default is that underlying zoning regs apply unless in conflict with H regs and then H regs prevail – made clear in 14-5.1 and 14.5-2.

**Comment [JBC93]:**

**EXPLANATION:**

Moved to 14.7-3(B)(3)

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B. — ~~Strengthen continuity of block forms;~~

C. — ~~Strengthen the built edge of street sections and extend features of the Plaza streetscape to this district;~~

D. — ~~Improve the sense of enclosure to pedestrian spaces;~~

E. — ~~Separate vehicles and pedestrians;~~

F. — ~~Emphasize the river park by allowing relatively dense buildings north of the Alameda in contrast to the park;~~

G. — ~~Recognize the importance of the river as an urban design feature; and~~

H. — ~~Provide some natural landscape on the north side of the Alameda to reflect the natural landscape of the Santa Fe river park.~~

(ii) — ~~Barrio de Analco Subdistrict~~

A. — ~~Maintain narrow streets and closely spaced small buildings;~~

B. — ~~Avoid the widening of existing streets;~~

C. — ~~Maintain the historic character and residential scale of buildings; and~~

D. — ~~Maintain and encourage enclosed courtyards.~~

(iii) — ~~Cerrillos Road Subdistrict~~

A. — ~~Recognize this area as one undergoing renewal;~~

B. — ~~Encourage the redevelopment of large parcels;~~

C. — ~~Provide flexible and permissive standards to encourage redevelopment and imaginative design;~~

D. — ~~Develop this area as an entranceway to the downtown with consideration for safety due to high traffic volume;~~

E. — ~~Discourage massive, block-shaped buildings; and~~

F. — ~~Encourage the concept of this area as a gateway to downtown Santa Fe.~~

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Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

(iv) — ~~Don Gaspar Subdistrict~~

~~Maintain the small scale and residential character and streetscape.~~

(v) — ~~East Marcy/East Palace Subdistrict~~

A. — ~~Maintain the continuity of block faces, including street trees and yards;~~

B. — ~~Retain the residential scale of the area by limiting building heights and requiring yards;~~

C. — ~~Encourage low walls which are compatible with the characteristic open yards; and~~

D. — ~~Encourage a sense of openness.~~

(vi) — ~~Loretto Subdistrict~~

~~The standards in the Loretto subdistrict are being promulgated in recognition of City Council Resolution 1971-3. The design objectives in Loretto subdistrict are to:~~

A. — ~~Encourage the continued redevelopment of this subdistrict;~~

B. — ~~Provide for architectural harmony within the subdistrict, and with adjoining subdistrict.~~

(vii) — ~~Marcy Subdistrict~~

A. — ~~Maintain street trees and stands of trees as dominant elements in the subdistrict;~~

B. — ~~Maintain avenue features, such as broad streets, planting strips, street trees and wide sidewalks;~~

C. — ~~Maintain sense of openness to provide occasional view of the mountains;~~

D. — ~~Separate pedestrians from vehicles using planting strips and street trees while providing an enclosed pedestrian space; and~~

E. — ~~Maintain the relationship between the height and mass of trees and the height and scale of buildings.~~

(viii) — ~~McKenzie Street Subdistrict~~

A. — ~~Maintain the residential scale;~~

B. — ~~Maintain yards, with or without fences; and~~

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

C. — ~~Maintain separation of individual structures.~~

(ix) — ~~Old Santa Fe Trail Subdistrict~~

A. — ~~Maintain the small scale quality of buildings and street;~~

B. — ~~Maintain the existing width of the old Santa Fe trail;~~

C. — ~~Maintain the scale of buildings; and~~

D. — ~~Encourage compliance by state government in design of future development.~~

(x) — ~~Plaza/San Francisco Subdistrict~~

A. — ~~Maintain narrow streets and continuous street facades;~~

B. — ~~Encourage additional portals for pedestrian use and provide continuity of building mass;~~

C. — ~~Limit building height to heights characteristic of existing buildings;~~

D. — ~~Encourage high walls to separate open or vacant areas from the public right of way and provide continuity of street facade;~~

E. — ~~Except for Plaza and Cathedral areas, confine landscaping to interior patios or walled courtyards; and~~

F. — ~~Emphasize verticality of facades on San Francisco Street.~~

(xi) — ~~Rosario Boulevard/NW Paseo de Peralta Subdistrict~~

A. — ~~Recognize the area as one in the process of change;~~

B. — ~~Facilitate the redevelopment of large parcels of land within single ownership;~~

C. — ~~Provide flexible standards that encourage redevelopment and diversity of design;~~

D. — ~~Emphasize the strategic position of this area as a gateway into downtown Santa Fe; and~~

E. — ~~Provide standards that minimize the impact or height and bulk of structures on the entryways to the downtown.~~

(xii) — ~~Sandoval/Montezuma Subdistrict~~

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

A. — Recognize that the area is in transition;

~~B. — Encourage adaptive reuse of existing buildings on Guadalupe Street and existing bungalows on west Manhattan, Read, Garfield, Montezuma and Aztec Streets;~~

~~C. — Maintain and strengthen continuity of the existing street facade on the east side of Guadalupe Street;~~

D. — Encourage access from side streets;

E. — Discourage additional curb cuts on main streets; and

~~F. — Encourage redevelopment of under-utilized property along Sandoval Street and Cerrillos Road.~~

~~(xiii) — State Capitol Subdistrict~~

~~A. — Retain the open "campus" quality of this area as a contrast to surrounding developed areas;~~

~~B. — Recognize the area as complimentary to the Santa Fe river park; and~~

~~C. — Maintain intensive landscape treatment.~~

~~(xiv) — Westside Subdistrict~~

~~Maintain the small scale and residential character and streetscape.~~

(3) — Redevelopment Subdistricts

(a) — New Redevelopment Subdistricts

(i) — Purpose

The purpose of redevelopment subdistricts within the Business Capitol District is to provide for:

A. — Infill and a limitation of sprawl through the efficient utilization of land;

B. — Optimum utilization of public infrastructure;

C. — A mix of land uses;

D. — Residential use;

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

E. ~~Comprehensive site planning;~~

F. ~~Public benefit uses;~~

G. ~~Urban design innovation;~~

H. ~~An enhancement of the economic vitality of the district; and~~

I. ~~The preservation and enhancement of the character and quality of the area in which the subdistrict is located, through elimination of any potentially significant adverse impacts or potentially irreversible adverse impacts upon the community, surrounding neighborhoods or other approved project plans.~~

**(ii) Criteria for Designation**

Criteria for designation of new redevelopment subdistricts:

A. ~~All redevelopment subdistricts shall be located within the Business-Capitol District;~~

B. ~~A redevelopment subdistrict shall encompass at least three acres, exclusive of dedicated streets and rights-of-way or a complete city block, whichever is smaller;~~

C. ~~A floor area ratio of two and five tenths to one shall not be allowed if it is judged by the Design Review Committee to be incompatible with an adjacent neighborhood or townscape area; and~~

D. ~~The infrastructure shall have the capability to support or to be modified to support the allowed floor area ratio as set forth in §14-7.3(B)(1)(a). (Ord. No. 2002-37 § 20)~~

**(iii) Procedure for Formation**

Procedure for formation of a new redevelopment subdistrict:

A. ~~Establishment of a new redevelopment subdistrict may be initiated by persons having a legal or equitable title to property within the proposed subdistrict, or by the Governing Body;~~

B. ~~Areas may be designated if they meet the criteria for designation;~~

C. ~~Applications for designation shall be referred to the Design Review Committee that shall make a recommendation to the Planning Commission as to whether the application meets the criteria for designation as a redevelopment subdistrict. Designation of land as a redevelopment subdistrict shall follow rezoning procedures; and~~

**Comment [JBC94]:**

**EXPLANATION:**  
*Moved to (4)(a) – purpose and intent of redevelopment subdistricts...*

**Comment [JBC95]:**

**EXPLANATION:**  
*Moved to redevelopment subdistricts rezoning requirements section above...*

**Comment [JBC96]:**

**EXPLANATION:**  
*This section adds nothing useful to the redevelopment subdistricts rezoning criteria and all the BCD DRC-related provisions will be moot once the BCD DRC is eliminated.  
If BCD DRC eliminated, then PC will review rezoning application and make recommendation to GB, like in all other rezonings...*

**Comment [JBC97]:**

**EXPLANATION:**  
*There are broad parameters for who can initiate a rezoning already clearly listed in 14-3.5 – it includes the GB, the PC, any dept or agency of the city, and any individual...*

**Comment [JBC98]:**

**EXPLANATION:**  
*Obviously*



Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

~~D. The Governing Body shall have the authority to designate an area as a redevelopment subdistrict.~~

**Comment [JBC99]:**

**EXPLANATION:**  
Already clear from 14-3.5 that GB can initiate a rezoning to redevelopment subdistrict.

~~(b) Procedural Requirements for Redevelopment Subdistricts~~

~~(i) Preliminary and Final Plan Approval~~

**Comment [JBC100]:**

**EXPLANATION:**  
With elimination of BCD DRC, procedure for rezoning to redev. subdistrict will require master plans go to GB and development plans in accordance with approved master plan to go to PC...

~~A. Redevelopment plans, major project plans, or minor project plans that are subject to Design Review Committee approval pursuant to §14-4.3(E)(1)(c) shall require preliminary and final approval at public hearings of the Design Review Committee. Notification and advertisement procedures for the hearings shall conform to the requirements of §14-3.1(H)(1), with the added requirement that notification to the neighborhood associations shall specify a date, time and location that the developer will be available to meet with neighborhood association and city staff to discuss the project prior to the public hearing. The schedule for submittal and review of plans subject to Design Review Committee approval shall conform to the schedule for the Planning Commission, except that public hearings of the Design Review Committee shall generally be scheduled on the second Thursday of the month in order not to conflict with the regularly scheduled Planning Commission meeting. (Ord. No. 2002-12-5-22)~~

**Comment [JBC101]:**

**EXPLANATION:**  
Even though this requirement isn't reflected anywhere else in the code, Greg Smith said it should be deleted – that 9 out of 10 times, the applicant in this situation is just told to follow the regular ENN procedures anyway...

~~B. Based upon evaluation of the factors outlined in paragraph (v) below, staff shall make recommendation to the Design Review Committee for approval, approval with modification, or denial of the preliminary plan. Staff may also recommend alternative concepts, designs or methods to minimize impacts to be incorporated in the final plan.~~

**Comment [JBC102]:**

**EXPLANATION:**  
If BCD DRC eliminated, there will be no preliminary plan requirement for development in the BCD and staff won't have to make a recommendation on any prelim. plan... rezoning to redev. subdistrict. And staff will not have to make a recommendation to the BCD DRC. Major project plans (as defined by 14-3.8) will require development plans to be approved by the PC... minor projects in accordance with the GB approved master plan will be permitted by LU Dept.

~~C. The Design Review Committee shall consider the staff's recommendation, public comment and, as appropriate, shall make its own further review, and thereafter shall approve, approve with modification, or deny the preliminary plan. The Design Review Committee may also recommend alternative concepts, designs or methods to minimize impacts to be incorporated in the final plan.~~

**Comment [CLG103]:**

**EXPLANATION:**  
Moved to 14-3.1 (G) – Application completeness section...

~~D. Based upon evaluation of the factors outlined in paragraph (v) below, public comment, and compliance with modifications required as a condition of preliminary plan approval, staff shall make recommendation to the Design Review Committee for approval, approval with modification, or denial of the final plan.~~

**Comment [JBC104]:**

**EXPLANATION:**  
Eliminating BCD DRC.

~~E. The Design Review Committee shall consider the staff's recommendation, public comment and, as appropriate, shall make its own further review, and thereafter shall approve, approve with modification, or deny the final plan. The Design Review Committee may reserve the right to review and confirm compliance with modifications required as conditions of final plan approval.~~

**Comment [JBC105]:**

**EXPLANATION:**  
Eliminating BCD DRC.

~~(ii) Basis for Approval~~

**Comment [JBC106]:**

**EXPLANATION:**  
Eliminating BCD DRC.

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

The approval, approval with modification, or denial of an application, as set forth in paragraph (i) above, shall be based upon an evaluation of public comment, the cumulative impact of the factors in paragraph (v) below, and a determination whether such factors will have a potentially significant adverse impact upon the character, stability, economic, social, or cultural well-being of the surrounding neighborhoods or the community at large.

**Comment [JBC107]:**

**EXPLANATION:**  
Becomes unnecessary if (v) factors are folded into 14-3.8.

**(iii) — Building Permit Compliance**

After approval of a redevelopment plan for a redevelopment subdistrict, building permit applications for major and minor projects shall be reviewed for compliance with the requirements of the approved redevelopment plan. The Design Review Committee shall review applications for major projects and certain minor projects as provided in §14-4.3(E)(1)(c). Staff shall review other minor project plans as provided in §14-4.3(E)(3)(b)(iv)(B).

**Comment [JBC108]:**

**EXPLANATION:**  
No different than any other building permitting process...

**(iv) — Minor Projects; Design Standards (Ord. No. 2007-14-5-2)**

A. — In a redevelopment subdistrict, a minor project includes new construction, demolition, remodeling, or alteration that does not meet the definition of a major project.

B. — Minor projects which consist only of remodeling, alterations, or additions having a gross floor area which is less than or equal to 50 percent of the gross floor area of the existing structure shall be reviewed by staff. Staff decisions may be appealed as set forth in §14-4.3(E)(1)(g).

C. — Minor projects which include new construction, an addition having a gross floor area which is greater than 50 percent of the gross floor area of the existing building, or a demolition, shall submit a major project plan to the Design Review Committee for approval as set forth in §14-4.3(E)(3)(b)(v) except for projects in the railyard redevelopment subdistrict with 10,000 square feet or less.

D. — Except where major project plans are required, minor projects shall conform to the standards of the townscape subdistrict adjacent to or closest to the minor project.

**Comment [JBC109]:**

**EXPLANATION:**  
Once BCD DRC is eliminated and the redevelopment subdistricts of the BCD are treated like all other master-planned districts, then the master plan will contain its own development standards, etc.  
Indicated in 14-3.8 that if no particular standard set forth in redevelopment subdistrict master plan, then default is relevant standard of townscape subdistrict adjacent to or closest to particular project...

**(v) — Contents of Redevelopment Subdistrict Plans or Plans for Major or Minor Projects Subject to Approval by the Design Review Committee**

A redevelopment plan for all or part of a proposed redevelopment subdistrict shall be submitted to the Design Review Committee for approval. If no redevelopment plan is required, building permit applicants for major projects in a redevelopment subdistrict and minor projects subject to approval by the Design Review Committee pursuant to paragraph (iv) above shall submit a major project plan to the Design Review Committee for approval. The redevelopment or major project plan shall address, as appropriate, the following:

**Comment [JBC110]:**

**EXPLANATION:**  
With the elimination of the BCD DRC, these definitions of "minor projects" will no longer apply. A "minor project" will become anything that doesn't meet the definition of major project as set out in 14-3.8, like it is for all other districts...

**Comment [CLG111]:**

**EXPLANATION:**  
Makes no sense once BCD DRC is eliminated... then the requirements below need to be folded into 14-3.8 -- default development plan requirements or district-specific development plan requirement matrix -- or tossed entirely.

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

A. — Design Elements

1. — Preservation of landmark buildings;
2. — Building styles;
3. — Building textures and colors;
4. — Building height and scale;
5. — Placement and setback of buildings;
6. — Provision of open space;
7. — Plant material and landscape design;
8. — Preservation of scenic vistas;
9. — Compatible night lighting;
10. — Provision of activities which make use of the project at different times of the day and during different seasons;
11. — Signs;
12. — Pedestrian circulation;
13. — Vehicular circulation;
14. — Avoidance of conflicts between pedestrian and vehicular circulation;
15. — Provisions of parking and the relationship of parking facilities with major activity centers within the project;
16. — Transitions to adjacent properties;
17. — Pedestrian linkages to major activity centers;
18. — Pedestrian linkages to off-site parking;
19. — Integration of vehicular circulation with the area-wide street system; and
20. — Accessibility of on-site parking to major streets.

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

### B. Community Impact Elements

In the event of either a redevelopment plan; a major project plan; or a minor project plan which is subject to Design Review Committee approval pursuant to paragraph (iv) above, the plan shall address all of the following factors:

1. ~~Preservation of and compatibility with the physical character, appearance and/or scale of the surrounding neighborhoods and their landscape; and~~
2. ~~Retention of jobs in the surrounding neighborhoods; and~~
3. ~~Pedestrian and vehicular access to public lands or areas (i.e. does the proposal or project plan realign the flow of people or traffic in the surrounding area); and~~
4. ~~Sustainability of the local economy and land values, and the effect on property taxes in the affected neighborhoods (i.e. does the project plan or proposal enhance or devalue residences or locally owned businesses); and~~
5. ~~Retention and enhancement of access by the local population, including persons living on fixed or low incomes, to affordable local goods and services; and~~
6. ~~Retention of the vitality of downtown areas; accessibility of downtown to the local population; and~~
7. ~~Availability of affordable housing and affordable business space; and~~
8. ~~Effect on public services such as fire, police protection, school services, and other public services or infrastructure elements such as water, power, sewer, communications, commuter or other services or facilities; and~~
9. ~~Relationship to existing density and zoning within the surrounding area; and~~
10. ~~Safe and convenient access by children, disabled and elderly persons to facilities, parks, schools and religious centers; and~~
11. ~~Protection of the physical environment, including but not limited to, air and water quality, noise, aesthetics, public and private transportation access, stormwater run-off, scenic vistas and other views open to the community, tree cover and open areas, shadow lines and any other relevant factors relating to applicable design elements in city ordinance; and~~
12. ~~Stability and existing character of surrounding neighborhoods including the environment for religious centers, schools, recreation areas, livestock and open spaces; and~~

**Comment [JBC113]:**

**EXPLANATION:**

*Adding requirement to submit a community impact statement alongside master plan to 14-3.8...*

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Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

13. ~~Any prehistoric, historic, archaeological or cultural site or structure; and~~

14. ~~Unique or locally important geological or other special land features of the site and surrounding neighborhoods and their landscapes; and~~

15. ~~Preservation of non-renewable natural resources; and~~

16. ~~Locally unique, rare or endangered plant or animal species; and~~

17. ~~Energy use, water use and conservation methods.~~6

#### (F) I-1 Light Industrial District

##### (1) Purpose and Intent

The I-1 district is intended primarily for light manufacturing, processing, storage, warehousing, distribution, and similar commercial uses. Regulations are intended to prevent friction between uses within the district and also to protect nearby residential districts.

**Comment [j114]:** Is this word correct?

##### (2) Additional Development Standards

All uses permitted in the I-1 district are subject to the following limitations, in addition to the general development regulations of Article 14-8:

(a) ~~Outdoor storage areas shall be enclosed by solid walls or solid fences at least six feet in height, with access only through solid gates that shall be kept closed when not in use;~~

(b) ~~No objects shall be stacked or stored outdoors higher than the minimum height of the enclosing walls; and~~

(c) ~~All uses shall conform to the performance standards set forth in §10-4 of Chapter X, Environmental Regulations;~~

#### **Comment [JBC115]:**

**EXPLANATION:**  
Indicated in 14-8 that this text should be moved to 14-8.5(B)(2)...

#### (G) I-2 General Industrial District

##### (1) Purpose and Intent

The I-2 district is intended primarily for general manufacturing and closely related uses. Also allowed ~~permitted~~ in the district are commercial and other uses allowed in some commercial districts. To avoid burdensome regulations on general manufacturing but at the same time provide adequate limitations on ~~to prohibit~~ the development of industries incompatible with the City's general industrial characteristics, regulations for this district are intended to provide protection principally against effects harmful to other districts. These

#### **Comment [CLG116]:**

**EXPLANATION:**  
Same issue – need to standardize cross references, OR take 'em out and assume they are in the users guide (which would seem to be the proper way to do it).  
JC: If worthwhile making clear that Chapter X applies more broadly than to just I-1, should move to introductory portion of 14-6 (indicated in 14-6)... If only applying to I-1, then can remove from here anyway, because already indicated in use-specific standards – 14-6.2(D)(1)(d)...

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regulations ~~do will~~ not afford the same level of protection for commercial and other allowed~~permitted~~ uses not related to general manufacturing as such uses would receive if ~~they~~ located in districts primarily designed for them. Therefore, it is the intent that ~~intent of~~ this district not to not restrict commercial activity, but that its development not be encouraged~~also not to encourage its development~~.

~~-(H) —~~ BIP Business and Industrial Park District

~~(1) —~~ Purpose and Intent

~~(a) —~~ The purpose of the ~~Business and Industrial Park (BIP) District~~ is to provide locations for employment-based development of ~~businesses~~ for the development of jobs in, including research and development activities and in, offices, institutions, and limited light industrial settings uses. The BIP district regulations intend to ensure provide that district locations may can be adjacent to residential and commercial areas with minimum buffering.

**Comment [CLG117]:**

EXPLANATION:  
Clarified...

~~(b) —~~ The BIP District provides a master planned landscaped setting capable of being located adjacent to residential and commercial areas with minimum buffering.

**Comment [JBC118]:**

EXPLANATION:  
Incorporated into (a) above and (2) below...

~~(be) —~~ It is also the purpose intended that ~~of~~ this district to allow related uses that complement or support the primary employment-based uses to create in a functional and pedestrian friendly development.

~~(2) —~~ Rezoning Requirements, Master Plan, and Development of Individual Lots

~~(a) p —~~ Property is eligible for rezoning to BIP if the property is a minimum of four acres in size and all other applicable requirements of this chapter are satisfied.

**Comment [JBC119]:**

EXPLANATION:  
Removed district size requirement from 14-7 table and placed here because really a rezoning requirement...

~~(ba) a —~~ Applications for rezoning to BIP districts require shall include a master plan. Applications to rezone to BIP districts may be submitted simultaneously with an annexation request or for land already located within the City in accordance with the general plan. In addition to meeting all other requirements set forth in this chapter for rezoning, applications for rezoning to BIP districts shall include a master plan as set forth below. Revisions to the master plan shall be reviewed by the Planning Commission. A reproducible original of the master plan shall be placed on record in the Land Use Department. Development shall occur in accordance with the approved master plan. (Ord. No. 2007-45 § 30)

**Comment [JBC120]:**

EXPLANATION:  
This is true of rezoning requests generally — can always be made concurrently with annexation request — no official way to combine into one procedure, but handled simultaneously.  
Also, concurrent processing of rezoning and annexations now covered by 14-3.1(K), "Simultaneous Processing of Development Applications"

**Comment [JBC121]:**

EXPLANATION:  
Duplicative of 14-4.1(D)(4)(b)(iii)

**Comment [JBC122]:**

EXPLANATION:  
Revision authority over master plans should be set out in 14-3.8, not here.

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(b) — The master plan shall include the following. As appropriate the information may be provided at a schematic level:

(i) — Existing conditions on site and on adjacent properties including boundaries, zoning, footprints of existing structures and uses of proposed principal structures if known;

(ii) — Existing topography and drainage and proposed modifications;

(iii) — Existing landscape conditions and proposed landscape improvements;

(iv) — Ingress and egress to public streets, existing and proposed vehicular, bicycle, pedestrian circulation systems including possible parking locations and access to public transit;

(v) — Proposed land uses; Existing and proposed infrastructure;

(vi) — Open space systems and all common amenities; Schematic layout of possible future lots and or the extent of buildable areas including required setbacks;

(vii) — Traffic impact analysis; and

(viii) — Other information as may be requested by Land Use Department staff at a pre-application meeting. (Ord. No. 2007-45 § 30)

(c) — If a sufficient level of detail is provided at the time of master plan review, the master plan, or portions of the master plan, may be considered the development plan for review purposes.

(d) — The creation of streets; utility, drainage, vehicular or pedestrian easements; and open space shall require the approval of a separate plat, which may be reviewed simultaneously with the master plan.

(e) — In order to allow lots to be created to accommodate specific uses as needed, the Planning Commission may approve multiple and sequential lot splits. If the lot is adjacent to a residential district, or residential use, the Planning Commission shall simultaneously review a development plan.

(3) — Exceptions

Any property previously zoned Industrial Park with master plan approval on or before the date of adoption of the Business and Industrial Park zoning district shall be governed by and subject to the approved master plan. Where a conflict exists between the approved master plan and the requirements under this section, the more lenient standard shall prevail.

**Comment [JBC123]:**

**EXPLANATION:**  
Moved to 14-3.8 as default requirements for master plans...

**Comment [JBC124]:**

**EXPLANATION:**  
Moved to 14-3.8 because provision has applicability beyond BIP...

**Comment [JBC125]: EXPLANATION:**  
Does not belong here. Basically about "serial subdivisions." If decided that this is a good tool to use in the planned districts (i.e. – in lieu of serial development plans, effectively), then should be moved to 14-3.7 and written to have broader applicability (not just in BIP).

Indicated in 14-3.7...  
Also drafted 14-3.1(K) on "Simultaneous Processing of Development Applications" to cover concurrent processing of development plans and "subdivision, resubdivision, or land division plat"...

**Comment [JBC126]:**

**Comment [JBC127]:** Drafted 14-3.1(K) on "Simultaneous Processing of Development Applications" to cover concurrent processing of development plans and "subdivision, resubdivision, or land division plat"...

**Comment [JBC128]:**

**EXPLANATION:**  
14-3.8 already requires that a dev. plan be submitted for projects greater than 10,000 sf that are near residential areas... but this phrase (and one just like it in SC provisions) suggests that PC should see development plan *whenever* lot to be developed with I or SC projects is adjacent to a residential area or use...  
Noted in 14-3.8 that this should be third trigger for dev. plans...

**Comment [JBC129]:**

**EXPLANATION:**  
GS comment – special exception language inadvertently omitted? Yes, but only needs to be fixed in 14-6 table; not appropriate here.

**Comment [CLG130]:**

**EXPLANATION:**  
Moved to 14-3.8 master plan section.

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Comments: Green is explanatory; Blue is for discussion; Red is issue remaining to be addressed

(4) — Additional Requirements

(a) — ~~Eating and drinking and child care establishments, shall be located a minimum of fifty feet from any existing residential use or any undeveloped residential zoning district. Eating and drinking establishments adjacent to residentially zoned property must close any outside portion of their establishment no later than 9:00 p.m.~~

**Comment [JBC131]:**

EXPLANATION:  
Moved to and indicated in use-specific sect. of 14-6.

(b) — ~~Any development in the Business and Industrial Park District shall be subject to all other requirements of this chapter, including ENN, Highway Corridor, and §10-4 of Chapter X, Environmental Regulations, and may be further restricted as to use, setbacks, hours of operation, or in any other way that shall be deemed reasonable by the Planning Commission, Board of Adjustment, and/or the Governing Body.~~

**Comment [JBC132]:**

EXPLANATION:  
Deleted because this really goes without saying, especially once requirement of complying with §10-4 added to introductory portion of 14-6...

-(I) — PRC Planned Residential Community District

(1) — Purpose and Intent

It is the purpose of the ~~planned residential community~~ PRC district to provide for the comprehensive and coordinated planning of large-scale residential developments that ~~takes into account~~ allows for a phasing of development that will take place over a long period of time. This district ~~allows~~ permits and encourages ~~both~~ single-family residences in conventionally platted subdivisions and clustered residential developments based on a design concept that applies innovative site-planning techniques; a mixture of residential densities intended to achieve a balanced community for all types of families; and neighborhood commercial uses of a type and intensity serving the residents of the PRC and the surrounding areas.

**Comment [JBC133]:**

EXPLANATION:  
Not appropriate here – ability to place additional restrictions on use, setbacks, hours of operation or other conditions or safeguards extends beyond the PRC. (The GB's ability to do this in connection with rezoning/master plan approval should be indicated in 14-3.8 or 14-3.5. The PC's ability to do this in connection with development plan approval (or master plan review or revision) should be indicated in 14-3.8. And the BOA's (or hearing officer's) ability to do this in connection with review of special exceptions/ conditional uses should be indicated in 14-3.6.)

-(2) — Rezoning Requirements

(a) — Only areas that containing one hundred and sixty acres or more are shall be eligible for rezoning to PRC, provided all other applicable requirements are satisfied.

**Comment [JBC134]:**

EXPLANATION:  
Taken from "Responsibility of Applicant" section below and re-worded to encourage mix of family types without referring specifically to income level...

(b) Applications — Requests for rezoning to PRC shall require a master plan.

**Comment [JBC135]:**

EXPLANATION:  
GSmith suggestion...

(2) — Master Plan

~~Development contemplated by this section shall occur only in accordance with an approved master plan. The master plan shall be considered part of the adopted Santa Fe General Plan. The master plan may be subject to review and revision.~~

**Comment [JBC136]:**

EXPLANATION:  
Already in new 14-3.8.

**Comment [JBC137]:**

EXPLANATION:  
Moved to 14-3.8... and indicated in 14-3.2...

**Comment [JBC138]:**

EXPLANATION:  
Moved to 14-3.8.

(3) — Responsibility of Applicant

**Comment [JBC139]:**

EXPLANATION:  
Unnecessarily complicates things to set this out as separate section of requirements that are the applicant's responsibility. List broken down and moved to district description section and/or master plan requirements section, as logical.



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Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

It is the responsibility of the applicant to prove that the development is planned and designed to achieve the following goals:

~~(a) — Compliance with the City General Plan in effect at the time the master plan is approved by the Governing Body of the City;~~

**Comment [JBC140]:**

**EXPLANATION:**  
Default rezoning requirement set out in 14-3.5.

~~(b) — A mixture of residential densities intended to achieve a balanced community for families of all ages, sizes and income levels;~~

**Comment [JBC141]:**

**EXPLANATION:**  
Added to PRC district description above.

~~(c) — Provision for community services, including commercial services;~~

**Comment [JBC142]:**

**EXPLANATION:**  
Moved to 14-3.8 as default master plan requirement. —as per Greg Smith.

~~(d) — The comprehensive and compatible arrangement of all land uses with respect to each other and the community as a whole;~~

**Comment [JBC143]:**

**EXPLANATION:**  
Moved to 14-3.8 as default master plan requirement. —as per Greg Smith.

~~(e) — A comprehensive and integrated traffic circulation system; and~~

~~(f) — The provision of adequate and well-designed recreational facilities and areas of open space.~~

**Comment [JBC144]:**

**EXPLANATION:**  
Already default master plan requirements in 14-3.8...

(4) — Minimum Area

Planned residential community district zoning shall not be applied to any area containing less than 160 acres.

**Comment [JBC145]:**

**EXPLANATION:**  
Moved to (2) above "Rezoning Reqs."

(5) — Submittal of Master Plan

(a) — An applicant requesting rezoning to planned residential community district status shall submit a master plan drawn at a minimum scale of one inch equaling 200 feet to include the following information:

**Comment [JBC146]:**

**EXPLANATION:**  
Made default master plan requirement.

(i) — Proposed vehicular and pedestrian circulation system;

**Comment [JBC147]:**

**EXPLANATION:**  
Already in new 14-3.8

(ii) — Existing public rights-of-way including those adjacent to the rezoning request;

**Comment [JBC148]:**

**EXPLANATION:**  
Added to default master plan requirements... 14-3.8

(iii) — Recreational areas, to be differentiated by sites proposed for dedication to the City and sites to be owned and maintained by a homeowners' association;

**Comment [JBC149]:**

**EXPLANATION:**  
Made default master plan requirement

(iv) — Division of the property into tracts according to similar land use, residential type and density and logical natural or man-made boundaries; each tract shall be assigned a separate designation;

**Comment [CLG150]:**

**EXPLANATION:**  
Made default master plan requirement, 14-3.8.

(v) — A phasing schedule shall be clearly outlined with the year noted when construction will begin for each phase of development. The Governing Body may approve planned residential

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Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

community district zoning without a phasing schedule, however, zoning and building permits shall not be granted until after a phasing schedule is approved by the Planning Commission and the Governing Body;

**Comment [JBC151]:**

**EXPLANATION:**  
Made phasing schedule a generic master plan requirement, period... 14-3.8.

(vi) ~~Slope analysis, soils map and drainage plan indicating existing drainage easements and one hundred year floodplains, assuming complete~~ for the areas of the parcel to be developed of the parcel;

**Comment [JBC152]:**

**EXPLANATION:**  
Made generic master plan requirement, 14-3.8.

(vii) ~~Road profiles, when requested by the City Engineer;~~

**Comment [JBC153]:**

**EXPLANATION:**  
Made default master plan requirement in 14-3.8.

(viii) ~~For lands with an average slope of 2 percent or more, topography at contour intervals of not more than 5 foot intervals; for lands with an average slope less than 2 percent, topography at contour intervals of not more than 2 feet;~~

**Comment [JBC154]:**

**EXPLANATION:**  
Topo already a generic master plan requirement.

(ix) ~~Property lines for all tracts of land contiguous with the master plan; and~~

**Comment [JBC155]:**

**EXPLANATION:**  
Made generic master plan requirement in 14-3.8.

(x) ~~School sites, if any exist or are proposed.~~

**Comment [JBC156]:**

**EXPLANATION:**  
Made generic master plan requirement, 14-3.8.

(xi) ~~A written traffic study, prepared by a professional engineer, shall be submitted with the master plan.~~

**Comment [JBC157]:**

**EXPLANATION:**  
Traffic data in some form made a generic master plan requirement, 14-3.8

(xii) ~~A schedule drawn on the following plan shall be submitted:~~

TABLE 14-4.3-1: Requested Schedule			
Number of Tract and Description of Use	Acres	Dwelling Units	Dwelling Units per Acre
	Total	Total	Gross Density for Master Plan

**Comment [JBC159]:**

**EXPLANATION:**  
Made Residential Density Schedule generic master plan requirement (where there's a residential component)

(6) ~~Master Plan; Standards; Requirements~~

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

(a) — The number of dwelling units or area of commercial use as approved by the Governing Body of the City drawn as set forth in paragraph (5) above shall appear in the plan. The number of dwelling units and area of commercial use, if any, as approved by the Governing Body of the City and drawn on the master plan shall constitute the maximum number of dwelling units, unless an increase in the number of dwelling units is agreed to in carrying out the Santa Fe Homes Program as set forth in § 14-8.11, or area of commercial use permitted for each tract. (Ord. No. 2005-30(A) § 8)

**Comment [JBC160]:**

**EXPLANATION:**  
Moved to 14-3.8, master plan requirements.

**Comment [JBC161]:**

**EXPLANATION:**  
Moved to 14-3.8, revision authority section.

**Comment [JBC162]:**

**EXPLANATION:**  
Already in new 14-3.8.

**Comment [JBC163]:**

**EXPLANATION:**  
Indication of land sufficient to meet dedication requirements (as opposed to specific dedication sites) should be a generic master plan requirement. And procedural information about dedications should be moved either to 14-3 or 14-8.15 (indicated in both)...

(b) — A mylar print of the master plan shall be placed on record in Land Use Department. (Ord. No. 2007-45 § 30)

(c) — If land is dedicated to the City as a City park at the time of rezoning, such that it satisfies the park dedication requirements for the entire master plan as set forth in the land subdivision regulations, Article 14-9, of this chapter, then park dedication shall not be required upon the subdivision of individual tracts.

(d) — Development of the site shall conform to the approved phasing schedule.

(7) — Application and Review of Development on Individual Tracts; Administrative Procedure (Ord. No. 2005-30(A) § 9)

**Comment [JBC164]:** **EXPLANATION:**

Moved to 14-3.8.

**Comment [JBC165]:** **EXPLANATION:**

Procedure does not belong in 14-3...

**Comment [JBC166]:** **EXPLANATION:**

Already clear that PC will review development plans for individual tracts, so long as meets criteria set forth in 14-3.8 (i.e., 30ksf or 10ksf). If project does not meet 14-3.8 criteria (i.e., is a minor project), then applicant can come for building permit on basis of master plan alone.

Subsequent to the zoning of a land parcel to planned residential community district status by the Governing Body of the City, the authority to review and approve development proposals on individual tracts resides with the Planning Commission as provided by law and ordinance. The subdivision of the entire tract into smaller tracts by preliminary subdivision plat shall occur prior to the approval of final development plans for any individual tract. If the Planning Commission does not act on a request for development within 90 days after the initial review by the Planning Commission, the applicant may request review of the proposed development by the Governing Body. An increase in the number of dwelling units or area of commercial use for any tract above that approved by the Governing Body of the City requires a recommendation by the Planning Commission and approval by the Governing Body of the City, unless an increase in the number of dwelling units is agreed to in carrying out the requirements of the Santa Fe Homes Program, set forth in § 14-8.11. The following regulations apply to the respective development of individual tracts:

**Comment [CLG167]:**

**EXPLANATION:**  
JC: Moved to 14-3.8, dev. plan section because applies more broadly than to just PRC...

**Comment [CLG168]:**

**EXPLANATION:**  
Moved to 14-3.8 development plan section.

**Comment [JBC169]:**

**EXPLANATION:**  
Added to 14-3.8, revision authority section

**Comment [JBC170]:** **EXPLANATION:**

Moved to 14-3.8 and 14-7.

**Comment [JBC171]:**

**EXPLANATION:**  
Indicated in 14-9 that subdivision regulations need to be expanded to apply to PRC development, among other things (PRRC development, MHP development, all other development treated like subdivs...)

(a) — The development of tracts proposed for single-family detached dwellings on conventionally platted lots shall conform to the requirements for single-family structures in residential R-1 through R-6 districts and the Santa Fe Homes Program, set forth in § 14-8.11 and § 26-1. The provisions of the land subdivision regulations shall apply to detached, single-family residences on conventionally platted lots; (Ord. No. 2002-39 § 4)

(b) — The development of tracts proposed for multiple-family structures shall conform to the provisions for multiple-family structures in RM districts, the Santa Fe Homes Program, set forth in § 14-8.11 and § 26-1. In the course of reviewing the preliminary development plan, the

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Planning Commission may require changes in the preliminary plan as a condition of Planning Commission approval. The applicant shall prepare a final development plan to be followed in construction operations. The final development plan shall be submitted to the Planning Commission for approval, together with final drafts for the homeowners' association, to include articles of incorporation, bylaws, covenants, and restrictions. The final development plan, or successive stages thereof, as approved becomes the final plat and the basis for issuance of zoning and building permits and for acceptance of public dedications. The applicant shall comply with all the requirements as set forth in § 14-5.7(1)(4).

(c) The development of tracts designated for single-family attached structures shall conform to the provisions set forth for the R-7, R-8 and R-9 residential districts in Article 14-7, the Santa Fe Homes Program set forth in § 14-8.11 and § 26-1. The Planning Commission may grant variances from those provisions as set forth in § 14-2.3(C)(3). (Ord. No. 2002-39 § 5)

(d) In addition to complying with the regulations set forth in the shopping center district, SC, § 14-4.3(K), the following requirements apply:

(i) Neighborhood commercial uses may be permitted in the planned residential community district. Where neighborhood commercial uses are approved as part of the master plan, the maximum ground area for such neighborhood commercial uses shall be calculated by multiplying the number of residents by 35 square feet. The number of residents per household shall be set at three and six tenths for owner-occupied dwellings and three and seven tenths for renter occupied dwellings, or as estimated by the United States Bureau of the Census;

(ii) A preliminary development plan drawn at a minimum scale of 50 feet to the inch with topography at contour intervals of 2 feet indicating existing drainage. This plan shall show with appropriate dimensions, an arrangement of buildings; off-street parking and loading facilities; internal automotive and pedestrian circulation; ingress and egress from adjoining streets; service areas and facilities; drainage system; landscaping fences and walls; the size and location, orientation and type of all signs proposed; proposed lighting of the premises; and relation to all property within 200 feet of the tract. If it is proposed to develop the shopping center in stages, the stages and times of development shall be indicated; and

(iii) The applicant shall prepare a final development plan to be followed in construction operations and submit it to the Planning Commission for approval. No building permit shall be issued until the Planning Commission approves the final development plan or the successive stages thereof. The applicant shall comply with all requirements set forth in § 14-5.7(1)(4), procedures for final development plan approval.

(J) PRRC Planned Resort-Residential Community District

(1) Purpose and Intent

**Comment [JBC172]:**

EXPLANATION: Streamlining things by eliminating preliminary development plan req. But PC can still suggest changes, require changes, or add conditions and safeguards in exchange for development plan approval. Indicated in 14-3.8...

**Comment [JBC173]:**

EXPLANATION: As always...

**Comment [CLG174]:** EXPLANATION: I don't think we really want the PC reviewing these, do we? Can't they be changed immediately after approval? If so, what's the point?

**Comment [JBC175]:** EXPLANATION: Indicated in 14-3.8 and 14-9 that development plans and final subdivisions are interchangeable, so long as all requirements are met... Idea that that approved dev. plan is basis for building permits already in 14-3.8.

**Comment [JBC176]:** EXPLANATION: ...

**Comment [JBC177]:** EXPLANATION: ...

**Comment [JBC178]:** EXPLANATION: ...

**Comment [CLG179]:** EXPLANATION: ...

**Comment [JBC180]:** EXPLANATION: Added to PRC district description.

**Comment [JBC181]:** EXPLANATION: ...

**Comment [JBC182]:** GSmith considering increasing commercial ...

**Comment [JBC183]:** EXPLANATION: Removing prelim. dev. plan req.

**Comment [JBC184]:** EXPLANATION: ...

**Comment [JBC185]:** EXPLANATION: Added topo to default dev. plan req.

**Comment [JBC186]:** EXPLANATION: Already in 14-3.8.

**Comment [JBC187]:** EXPLANATION: Moved to 14-3.8 default dev. plan req..

**Comment [JBC188]:** EXPLANATION: Already in 14-3.8.

**Comment [JBC189]:** EXPLANATION: Moved to 14-3.8 default dev. plan reqs.

**Comment [JBC190]:** EXPLANATION: Already in 14-3.8.

**Comment [JBC191]:** EXPLANATION: ...

**Comment [JBC192]:** EXPLANATION: ...

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: Green is explanatory; Blue is for discussion; Red is issue remaining to be addressed

It is the purpose of the planned resort-residential community district to provide for the comprehensive and coordinated planning of large-scale resort-residential developments that allows for ~~takes into account~~ a phasing of development that will take place over a long period of time. This district permits and encourages the development of resorts in conjunction with a variety of residential uses. a mixture of residential uses, densities, and building types within the range of the economic market the development proposes to serve.

**Comment [JBC193]:**

EXPLANATION:  
Moved from former PRRC Responsibility of Applicant section.

(2) Rezoning Requirements

(a) Only areas that containing one hundred and sixty acres or more shall be eligible for rezoning to PRRC, provided all other applicable requirements are satisfied.

(b) Requests for rezoning to PRRC shall require a master plan.

(2) Master Plan

~~Development contemplated by this section shall occur only in accordance with an approved master plan. The master plan shall be considered part of the adopted Santa Fe Area General Plan. The master plan may be subject to review and revision.~~

**Comment [JBC194]:**

EXPLANATION:  
All addressed in new 14-3.8.

(3) Responsibility of Applicant

~~It is the responsibility of the applicant to prove that the development is planned and designed to achieve the following goals:~~

**Comment [CLG195]:**

EXPLANATION:  
I think we just list the requirements, and I don't think burden of proof is a relevant concept, since the City either likes it or doesn't. The case law is clear that there is no right to a particular zoning designation.

(a) Compliance with the City General Plan in effect at the time the master plan is approved by the Governing Body of the City;

**Comment [JBC196]:**

EXPLANATION:  
Already in 14-3.5, rezoning procedure section.

(b) A mixture of residential densities and building types within the range of the economic market the development proposes to serve;

**Comment [JBC197]:**

EXPLANATION:  
Moved to PRRC district description.

(c) The provision of resort accommodations and resort related commercial services;

**Comment [JBC198]:**

EXPLANATION:  
Moved to 14-3.8, district-specific table of master plan reqs.

(d) The provision of community services and utilities;

**Comment [JBC199]:**

EXPLANATION:  
Already in 14-3.8.

(e) The provision of recreational facilities and areas of open space;

**Comment [JBC200]:**

EXPLANATION:  
Added to 14-3.8.

(f) The provision of residences;

**Comment [JBC201]:**

EXPLANATION:  
Already in 14-3.8.

(g) The comprehensive and compatible arrangement of all land uses with respect to each other and the community as a whole; and

**Comment [JBC202]:**

EXPLANATION:  
Already in 14-3.8 in form of Residential Density Plan.

(h)

**Comment [JBC203]:**

EXPLANATION:  
Already in 14-3.8.

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Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

~~— A comprehensive and integrated traffic circulation system.~~

**Comment [JBC204]:**

**EXPLANATION:**  
Already in 14-3.8.

~~(4) — Minimum Area~~

~~Planned resort residential community district zoning shall not be applied to any area containing less than 160 acres.~~

**Comment [JBC205]:**

**EXPLANATION:**  
Moved to PRRC "rezoning requirements" section...

~~(5) — Submittal of Master Plan~~

~~(a) — An applicant requesting rezoning to the planned resort residential community district status shall submit a master plan drawn at a minimum scale of one inch equaling 200 feet to include the following information:~~

~~(i) — Proposed vehicular and pedestrian circulation system;~~

~~(ii) — Existing public rights-of-way including those adjacent to the rezoning request.~~

**Comment [JBC206]:**

**EXPLANATION:**  
Already in 14-3.8, default master plan reqs.

~~(iii) — Designation of areas of similar land use, resort accommodations, recreational uses, housing and open space;~~

**Comment [JBC207]:**

**EXPLANATION:**  
All already in 14-3.8, default master plan requirement list... except for "resort accommodations," which was added as one possible type of land use to have to designate...

~~(iv) — A phasing schedule shall be clearly outlined with the year noted when construction will begin for each phase of development;~~

~~(v) — Slope analysis, soils map and drainage plan indicating existing drainage easements and one hundred year floodplains, assuming complete development of the parcel;~~

**Comment [JBC208]:**

**EXPLANATION:**  
Already in 14-3.8.

~~(vi) — Road profiles, when requested by the City Engineer;~~

**Comment [JBC209]:**

**EXPLANATION:**  
Already indicated in 14-3.8.

~~(vii) — For lands with an average slope of two percent topography at contour intervals of not more than five foot intervals; for lands with an average slope less than two percent topography at contour intervals of not more than two feet;~~

~~(viii) — Property lines for all tracts of land contiguous with the master plan.~~

~~(ix) — A written traffic study, prepared by a professional engineer, shall be submitted with the master plan.~~

**Comment [JBC210]:**

**EXPLANATION:**  
Already in or indicated in 14-3.8.

~~(6) — Master Plan; Standards; Requirements~~

~~(a) — The area of residential use and number of dwelling units and area and intensity of commercial use, as approved by the Governing Body of the City and drawn on the master plan shall constitute the maximum number of dwelling units and area and intensity of commercial~~

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Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

use permitted for each tract, unless an increase in the number of dwelling units is agreed to in carrying out the Santa Fe Homes Program as set forth in §14-8.11. (Ord. No. 2005-30(A) § 10)

(b) — A mylar print of the master plan shall be placed on record in the Public Works Department, engineering division.

(c) — Development of the site shall conform to the approved phasing schedule.

(7) — Application and Review of Development on Individual Tracts; Administrative Procedure (Ord. No. 2005-30(A) § 11)

Subsequent to the zoning of a land parcel to planned resort residential community district status by the Governing Body of the City, the authority to review and approve development proposals on individual tracts resides with the Planning Commission as provided by law and ordinance. An increase in the number of dwelling units or area or intensity of commercial use for any tract above that approved by the Governing Body of the City requires a recommendation by the Planning Commission and approval by the Governing Body of the City, unless an increase in the number of dwelling units is agreed to in carrying out the Santa Fe Homes Program, set forth in §14-8.11. The following regulations apply to the respective development of individual tracts:

(a) — The development of parcels proposed for residential use shall comply with all applicable sections of this chapter with respect to submittals and procedures and standards, including the Santa Fe Homes Program, set forth in §14-8.11, and §26-1.

(b) — The development of parcels for resort or recreational facilities, the following shall apply:

(i) — A preliminary development plan drawn at a minimum scale of 50 feet to the inch with topography at contour intervals of 2 feet indicating existing drainage shall be submitted for approval by the Planning Commission. This plan shall show with appropriate dimensions, an arrangement of buildings; off-street parking and loading facilities; internal automotive and pedestrian circulation; ingress and egress from adjoining streets; service areas and facilities; drainage system; landscaping; fences and walls; the size and location, orientation and type of all signs proposed; proposed lighting of the premises; and relations to all property within 200 feet of the tract. If it is proposed to develop the resort or recreational facilities in stages, the stages and times of development shall be indicated;

(ii) — The applicant shall prepare a final development plan to be followed in construction operations and submit it to the Planning Commission for approval. No building permit shall be issued until the Planning Commission approves the final development plan or the successive stages thereof. The applicant shall comply with all requirements set forth in §14-5.7(l)(4), procedures for final development plan approval; and

**Comment [JBC211]:**

EXPLANATION:  
Already moved to and/or indicated in 14-3.8.

**Comment [CLG212]:**

EXPLANATION:  
Change via the SFHP, already mentioned in 14-3.8, master plan revision authority section...

**Comment [JBC213]:**

EXPLANATION:  
Already in 14-3.8.

**Comment [JBC214]:**

EXPLANATION:  
Already in or indicated in 14-3.8.

**Comment [JBC215]:**

EXPLANATION:  
Deleted; adds no new information about development.

**Comment [JBC216]:**

EXPLANATION:  
Either already in or moved to 14-3.8...

**Comment [JBC217]:** EXPLANATION:

No more prelim. dev. plan. And all already in or indicated in 14-3.8, dev. plan req. section.



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Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

(iii) ~~Unless specifically waived by the Planning Commission, development shall comply with all applicable sections of this chapter.~~

**Comment [CLG218]:** This is a variance, right?

**EXPLANATION:**  
Deleted; adds no new information about development. Special exceptions/conditional uses/variances will all be detailed in their respective sections... 14-3.6, 14-3.16...

(8) ~~Early Neighborhood Notification~~

All development in the PRRC district shall comply with the early neighborhood notification requirements of §14-3.1(F).

**Comment [JBC219]:**

**EXPLANATION:**  
Already clear in 14-3.1, ENN section that ENN compliance is required for all: "Master plans;... Final development plans where a preliminary plan has not previously been approved;... Preliminary subdivision plats;... Final subdivision plats where a preliminary plat has not previously been approved."  
And if we're eliminating prelim dev. plan req., then all dev. plans will trigger ENN... Only minor development not caught by subdivision plat will NOT be ENN'd – by design...

-(K) ~~SC Planned Shopping Center Districts~~

(1) ~~Purpose and Intent~~

(a) ~~It is the purpose~~ intent of the SC planned shopping center districts to provide criteria and standards for new neighborhood, community and regional shopping centers in areas not presently zoned for commercial purposes and for enlarging existing commercial zoned areas. The SC-1, SC-2 and SC-3 districts are intended for a unified grouping, in one or more buildings, of retail establishments shops, and stores, and services that provide for the regular needs and for the convenience of families residing in the adjacent residential neighborhoods or in the larger community, respectively.

(2) ~~Permitted Accessory Uses and Structures~~

(a) ~~This section does not apply to telecommunication facilities that shall be regulated as set forth in §14-6.2(E).~~

**Comment [JBC220]:**

**EXPLANATION:**  
Not appropriate here. Made clear in 14-6.2(B) that telecommunications facilities are regulated by provisions set forth therein, other district regulations notwithstanding....

(b) ~~It is also the purpose of intended that the SC districts to allow~~ shall permit uses and structures permitted in SC districts are those which are customarily Accessory and clearly incidental and subordinate to the permitted principal uses and structures as stated and restricted in Subparagraph (a) of this paragraph; above, provided that such Accessory uses and structures are and which do not involve operations or structures not in keeping with the character of the district.

provided that the waste products shall be kept in closed containers and that the containers shall not be visible from residential areas; from portions of the premises customarily open to customer parking, customer pedestrian or automotive traffic, from automotive traffic or from public ways.

**Comment [JBC221]:**

**EXPLANATION:**  
Deleted because duplicative of 14-6.3(A)(8)(a), in the use-specific standards section...

(c) ~~It is further the purpose intended that the three types of SC districts be defined and distinguished by scale of development, using trade area, market, and number and variety of Retail Shopping establishments to determine whether the district should be zoned SC-1, SC-2 or SC-3 as follows:~~

(i) ~~1. -SC-1 neighborhood shopping center district:~~



Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: Green is explanatory; Blue is for discussion; Red is issue remaining to be addressed

~~A. (a). r~~ Radius of trade area: approximately one to one and one-half miles;

~~B. (b). m~~ Minimum market: approximately one thousand ~~1,000~~ families; and

~~C. (c). c~~ Composition of center: consists of five to ten Retail Establishments, the major store is usually a supermarket or pharmacy drugstore; other Retail Establishments include those offering convenience goods and personal services, not including auto repair, Filling Service stations or residential uses;

~~(ii) (3) 2.~~ SC-2 community shopping center district:

~~A. (a). r~~ Radius of trade area: approximately four miles or more;

~~B. (b). m~~ Minimum market: approximately five thousand ~~5,000~~ families; and

~~C. (c). c~~ composition of center: consists of ten or more Retail Establishments; the major Retail Establishment store is usually a variety or department store, in addition to convenience goods and personal services as in SC-1. Other Retail Establishments may include Filling Service stations, department stores, discount stores, furniture stores and other stores and services that provide for the regular needs of families residing in the adjacent residential neighborhoods or in the larger community; and

~~(iii) 43.~~ SC-3 regional shopping center district:

~~A. (a). r~~ Radius of trade area: approximately one hour drive by automobile;

~~B. (b). M~~ minimum market: approximately one hundred fifty thousand ~~150,000~~ people; and

~~C. (c). c~~ Composition of center: one or more full-time department stores with eighty thousand to one hundred thousand ~~80,000 to 100,000~~ square feet of gross leasable area each and Retail Establishments stores providing convenience goods and personal services.

~~(d)~~ Development and design standards, including square footage restrictions, for the three SC districts can be found in Article 14-7.

~~(2) (3)~~ Standards

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

(a) ~~Site Development Requirements~~

~~(i) The minimum open space requirement in SC districts is 25 percent of the total lot area. Open space shall meet all the requirements of §14-8.4(H).~~

**Comment [JBC222]:**

**EXPLANATION:**  
Moved to 14-7.2-1 table and 14-7.2(B).

~~(ii) The Planning Commission may, as a condition of preliminary or final approval, require specific conditions and safeguards as it deems necessary to ensure that the SC development will not adversely affect surrounding property and that it will carry out the general object and purpose of the SC section. Such specific conditions and safeguards may include but not be restricted to:~~

~~A. Setbacks or yard requirements in excess of the minimum requirements;~~

~~B. Landscape development and maintenance, including walkways and ornamental planting to break up large expanses of pavement in parking lots and screening for protection of adjoining residential areas;~~

~~C. Screening from view by walls, fences or other construction;~~

~~D. Design and placement of outdoor lighting and signs; and~~

~~E. Design of vehicular and pedestrian facilities.~~

~~(iii) All sales, service, storage, and display shall be within completely enclosed buildings and no goods shall be produced except for sale at retail on the premises.~~

**Comment [JBC223]:**

**EXPLANATION:**  
Does not belong here. Indicated in 14-3.8 that both BIP and SC enumerate what additional safeguards and conditions PC and GB can place on development.

(b) ~~Parking and Loading Requirements~~

~~(i) The minimum off-street parking requirement in an SC district shall be, for each 1,000 square feet of gross leasable area in buildings, five off-street parking spaces.~~

**Comment [JBC224]:**

**EXPLANATION:**  
Indicated that this needed relocating to 14-6 use-specific standards section.

~~(ii) Adequate off-street loading facilities, separate from required off-street parking facilities, shall be provided at the rear or side of or beneath the shopping center buildings.~~

**Comment [JBC225]:**

**EXPLANATION:**  
Already reflected in 14-8.6-1 table of parking and loading requirements... (except in table it says 5 spaces for every 1000 sf of NET leasable area, which is more in keeping with other commercial development parking and loading requirements in that section.)

(c) Signs

~~(i) No sign intended to be read from off the premises shall be permitted in an SC district, except:~~

**Comment [JBC226]:**

**EXPLANATION:**  
Already in 14-8.6(C)(1)(c) and 14-8.6(C)(2)(a).

~~(ii) One sign with one square foot of surface area for each lineal foot of lot adjacent to a public street for the purpose of general identification of the entire premises, as "\_\_\_\_\_ shopping center," in any event not to exceed 150 square feet; and~~

**Comment [JBC227]:**

**EXPLANATION:**  
Sign provisions belong in one place, presumably 14-8.10. Indicated in 14-8.10 that these sign provisions need to be reconciled with and included in existing SC sign regulations there...

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: Green is explanatory; Blue is for discussion; Red is issue remaining to be addressed

(iii) — One sign for each full line department store, junior department store and supermarket with one square foot of surface area for each one lineal foot of building frontage, not to exceed 80 square feet. Such signs shall refer only to the name and nature of the business conducted in the building and to goods and services offered and shall be mounted flat against the wall or window of the building. No sign may project more than one foot from the wall to which it may be attached. Other signs compatible with the design of the shopping center may be approved by the Planning Commission after submittal of a plan showing the dimensions and design of the sign.

(24) — Rezoning Requirements to the SC District

(a) — Property is eligible for rezoning to SC if:

(a) — Guidelines —

The following are guidelines for the consideration of proposed SC districts:

(i) — The property is:

A. (A) — an addition in depth to lands where frontage is already commercially zoned;

B. (B) — already commercially zoned and existing development, if any, can be brought into conformance with the SC district regulations; or

C. (C) — not already commercially zoned in whole or in part and is not now served by appropriate and convenient shopping facilities;

(ii) — The shopping center will be convenient to and serve at least one residential area; Each residential area should be served by commercial facilities convenient to the area;

and

(iii) — The tract on which the shopping center such facilities are will be located is should be of such size, shape and location as to enable development of well-organized development of the Commercial Facilities, with proper access Streets, ingress and egress, Off-Street Parking and loading space and other requirements and amenities; and

**Comment [JBC228]:**

**EXPLANATION:**

Clarified language and converted the "guidelines" into rezoning requirements...

**Comment [JBC229]:**

**EXPLANATION:**

Moved, with minimal changes, from former "Lands to be Considered" section below...

**Comment [JBC230]:**

**EXPLANATION:**

If a rezoning requirement, then this language needs to be inverted, i.e. — eligible for rezoning to SC If convenient to and serves a residential area ...

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

(iii) ~~The character of the commercial development should be appropriate to the neighborhood or the larger community and conditions and safeguards, such as landscaped buffer strips, should be provided to ensure that development will enhance rather than diminish the value of surrounding residential property; and~~

**Comment [JBC231]:**

**EXPLANATION:**  
Moved to 14-3.5 as universal criteria in rezoning procedure...

(b) ~~Additionally, property is eligible for rezoning to:~~

**Comment [JBC232]:**

**EXPLANATION:**  
This is not a rezoning requirement, but authorization for the GB to place specific conditions or safeguards on the preliminary development (master?) plan. Moved to 14-3.8, section on GB's ability to modify/relax the existing minimum standards.

(i) ~~SC-1 if it has a site area of five to fifteen~~15 acres;

(ii) ~~SC-2 if it has a site area of ten to forty~~10 to 40 acres; and

(iii) ~~SC-3 if it has a site area of thirty-five~~35 acres or more.

**Comment [JBC233]:**

**EXPLANATION:**  
Originally, SC-2 was 10 to 35 and SC-3 was 40 to 80. This left a strange gap for sites between 35 and 40 acre, so inverted the numbers to allow the same sort of overlap in site area as between SC-1 and SC-2.  
Also, removed site area ceiling of 80 acres... if applicant can create shopping center of more than 80 acres and still comply with all other standards, should get green light...

(c) ~~Applications Requests for rezoning to SC shall require a development plan.~~

(iv) ~~Three types of SC planned shopping center districts may be defined according to the scale of development. Trade area, site size, gross floor area, number and variety of shopping establishments and the like determine whether the SC district should be SC 1, SC 2 or SC 3 as follows:~~

A. ~~SC 1 neighborhood shopping center district~~

1. ~~Site area: five to 15 acres;~~

2. ~~Gross floor area: 30,000 to 116,000 square feet;~~

3. ~~Radius of trade area: approximately one to one and one-half miles;~~

4. ~~Minimum market: approximately 1,000 families; and~~

5. ~~Composition of center: consists of from five to ten establishments, the major store is usually a supermarket or drugstore; other stores include those offering convenience goods and personal services, not including auto repair, service stations or residential uses;~~

**Comment [JBC234]: EXPLANATION:**

CLG: This is a little problematic - what if you don't meet all these requirements, some of which are eligibility, and some of which are substantive regs - i.e., doesn't it make more sense to say that if you have 5 acres, you get 30k - 116k sf?  
JC: This is really a district standard that belongs in 14-7. 14-7 table only has max. lot coverage column, but could arrive at relevant lot coverage figure by dividing minimum lot size by maximum gross floor area?

B. ~~C-2 community shopping center district~~

1. ~~Site area: ten to 35 acres;~~

2. ~~Gross floor area; 75,000 to 300,000 square feet;~~

3. ~~Radius of trade area: approximately four miles or more;~~

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

4. ~~Minimum market: approximately 5,000 families; and~~

5. ~~Composition of center: consists of ten or more establishments; the major store is usually a variety or department store, in addition to convenience goods and personal services as in SC-1. Other establishments may include service stations, department stores, discount stores, furniture stores and the like; and~~

C. ~~SC-3 regional shopping center district~~

1. ~~Site area: 40 to 80 acres;~~

2. ~~Gross floor area: 300,000 to 800,000 square feet;~~

3. ~~Radius of trade area: approximately one hour drive by automobile;~~

4. ~~Minimum market: approximately 150,000 people; and~~

5. ~~Composition of center: one or more full-time department stores, 80,000 to 100,000 square feet of gross leasable area and stores providing convenience goods and personal services.~~

**Comment [JBC235]:**

**EXPLANATION:**  
Moved to district purpose and intent (description)...

(b) ~~Lands to Be Considered~~

~~Two types of lands will be considered for SC zoning:~~

(i) ~~Additions in depth to lands where frontage is already commercially zoned and lands already commercially zoned where development, if any, can be brought into conformance with the SC district regulations; and~~

(ii) ~~Lands not already commercially zoned in whole or in part in areas not now served by appropriate and convenient shopping facilities.~~

**Comment [JBC236]:**

**EXPLANATION:**  
Moved to "Rezoning requirements" section above (#2).

(c) ~~Preliminary Development Plan~~

(i) ~~In cases where additions to depth of existing commercial frontage is requested or where rezoning of existing commercially zoned land is requested, applicants for rezoning to SC status shall submit to the Planning Commission a preliminary development plan covering the entire tract proposed for development for the planned shopping center and indicating existing conditions and development for an additional area including at least 200 feet from tract boundaries. This preliminary development plan shall be drawn at a scale of 50 feet or 100 feet to the inch, shall indicate topography at two foot contour intervals, and shall show existing drainage or other significant natural features.~~

**Comment [JBC237]:**

**EXPLANATION:**  
Eliminating prelim. dev. plans; now only one dev. plan... and all dev. plan information moved to 14-3.8...

**Comment [JBC238]:**

**EXPLANATION:**  
This is an existing default master plan requirement, not a default dev. plan requirement -- listed as SC-specific development plan requirement...

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

(ii) — This plan shall show, with appropriate dimensions, an arrangement of buildings; off-street parking and loading facilities; internal automotive and pedestrian circulation; ingress and egress from adjoining streets; service areas and facilities; drainage system; landscaping; fences and walls; the size, location, orientation and type of all signs proposed; proposed lighting of the premises; and the relation to all property within 200 feet of the tract. If it is proposed to develop the shopping center in stages, the stages and time of development shall be indicated.

(iii) — In cases involving lands not presently zoned for commercial uses in whole or in part, applicants for rezoning to SC status shall submit to the Planning Commission the preliminary development plans described above and shall submit maps, population studies, and other planning data to justify the need for a shopping center of the character and size proposed; provided, that the Planning Commission shall not rule on the economic feasibility of the development.

(d) — Preliminary Development Plan; Processing

(i) — When a preliminary application has been filed, the Planning Commission shall review it for compliance with the requirements of the Zoning regulations and shall make a finding as to whether the proposed change is in accordance with the objectives of the City's comprehensive General Plan. In the course of such review, the Planning Commission may suggest changes in the preliminary plan as a condition of Planning Commission approval.

(ii) — The Planning Commission shall then transmit the application and the preliminary plan to the Governing Body, together with a recommendation as to approval, disapproval, desirable changes and special conditions and safeguards, which recommendations may include suggested time limits within which all construction or specified stages of construction, or both, shall be started or completed. If such time limits are specified, they shall supersede those established generally by §14-8.5, otherwise provisions of §14-8.5 shall govern.

(e) — Time Required to Begin Construction

(i) — Substantial and continuing construction must begin within two years of the approval of the preliminary development plan by the Governing Body.

(ii) — If construction has not begun at the end of two years from the date of approval of the preliminary plan by the Governing Body, the Planning Commission shall review the application and make a recommendation to the Governing Body with respect to any appropriate rezoning which the circumstances indicate; and the Governing Body may rescind the zoning amendment and reinstate the previous zoning district.

(iii) — Paragraphs A and B above apply to SC (Shopping Center) rezonings prior to December 31, 1992. SC rezonings completed after December 31, 1992 shall be reviewed as per §14-9.19.

**Comment [JBC239]:**

**EXPLANATION:**  
All of these requirements are already in or have now been relocated to the development plan requirements of 14-3.8.

**Comment [JBC240]:**

**EXPLANATION:**  
Dev. plan requirements specific to the rezoning of non-commercially zoned land to SC... moved to SC- district-specific dev. plan table...  
Also, made clear in 14-3.5 and 14-3.8 that PC can't rule on economic feasibility of development proposed by development plan...

**Comment [JBC241]:**

**EXPLANATION:**  
Procedure should all be in 14-3.8...

**Comment [JBC242]:**

**EXPLANATION:**  
PC's responsibility to review and make recommendations on rezoning applications (whether via master plan, dev. plan, or no plan) already part of 14-3.5...  
Ensuring rezonings are in accordance with the General Plan is also already a requirement of 14-3.5 rezoning procedure...

**Comment [JBC243]: \* \* \***

**EXPLANATION**  
Indicated in 14-3.5 that PC needs to be able to suggest changes, conditions, and safeguards to master plan or development plan submitted as part of rezoning in exchange for approval...

**Comment [JBC244]:**

**EXPLANATION:**  
Indicated that this entire paragraph should all be part of 14-3.5 rezoning procedure.

**Comment [JBC245]:**

**EXPLANATION:**  
Made construction time limits part of default development plan reqs. ...  
**STILL NEEDS WORK:**  
14.8-5 is "walls and fences" – unclear why or exactly what construction time limits need to supersede in 14-8.5...

**Comment [JBC246]:**

**EXPLANATION:**  
Moved to 14-3.8, needs to reconcile with expiration of dev. plans and expiration of master plans section...

**Comment [CLG247]:**

**EXPLANATION:**  
OK, so it is all NA then.

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

(f) — Procedure for Final Development

(i) — After the Governing Body has approved preliminary plans with such changes, conditions and safeguards as the Governing Body may have included in the amendment, the official zoning district map shall be amended to designate as an SC district the tract covered by the preliminary development plan.

**Comment [JBC248]:** EXPLANATION:  
Making sure this is part of 14-3.5, general rezoning procedure...

(ii) — The applicant shall prepare a final development plan to be followed in construction operations and submit it to the Planning Commission for approval. The final development plan may be submitted separately for the first and each successive stage of development.

**Comment [JBC249]:**  
EXPLANATION:  
Adds no new information. Already in introduction to 14-3.8...

(iii) — No building permit shall be issued until the Planning Commission approves the final development plan or the successive stages thereof and the construction time limits are established. The signed, original mylar of the development plan shall be filed with the City Public Works Department.

**Comment [JBC250]:**  
EXPLANATION: Does not belong here – moved to 14-3.8...

(iv) — If construction has not begun at the end of 12 months from the date of approval of the final development plan, the Planning Commission shall review the application and make a positive recommendation to the Governing Body with respect to any appropriate rezoning which the circumstances indicate; and the Governing Body may rescind the zoning amendment and reinstate the previous zoning district classification.

**Comment [JBC251]:** EXPLANATION:  
Adds no new information. Though does suggest that construction time limits should be made a default dev. plan req..

**Comment [JBC252]:** EXPLANATION:  
Already in 14-3.8...

(g) — Special Procedure in Connection with Final Development

The final development plan may be submitted separately for the first and each successive stage of development. If construction has not begun at the end of 12 months from the date of approval of the final plan, the Planning Commission must review the application and make a positive recommendation to the Governing Body with respect to any appropriate rezoning which the circumstances indicate, and the Governing Body may rescind the zoning amendment and reinstate the previous zoning district classification.

**Comment [JBC253]:**  
EXPLANATION:  
Should be moved to and reconciled with 14-3.5 and 14-3.8 expiration provisions.

(h) — Early Neighborhood Notification

~~3.1(F).~~ Projects shall comply with the early neighborhood notification requirements of §14-

**Comment [CLG254]:**  
EXPLANATION:  
No different from (ii) and (iv) above...

~~4.~~ (L) —        MU Mixed-Use District

(1) — Purpose and Intent

       It is the purpose and intent of the Mixed-Use (MU) zoning district to provide for the creative infill and development of undersedtilized and vacant Land areas and Buildings in

**Comment [JBC255]:**  
EXPLANATION:  
Indicated in 14-3.1 that ALL SC projects trigger ENN... (otherwise minor SC projects, to the extent they exist, would be left out of the process...no subdivision plat req. for SCs to fill the gap, like in PRRC??)

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Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

Santa Fe. This zoning district is intended to provide zoning standards for the Mixed Use areas as indicated on the Future Land Use Map. This zoning is not intended for existing residential areas in the City's Historic Districts. This zoning category shall permit redevelopment of existing uses, and shall allow office, commercial and residential uses in the same building or on the same property. Mixed-Use zoning should accomplish the following goals:

\_\_\_\_\_ (a) c ~~Help~~ control sprawl by creating a more efficient use of Land and more opportunities for infill;

\_\_\_\_\_ (b) ~~\_\_\_\_\_~~ promote affordable housing and economic development by emphasizing a variety of Land uses ~~including both commercial and residential components both on the same property and within the same building;~~

\_\_\_\_\_ (c) ~~\_\_\_\_\_~~ promote creative and flexible Land uses within the City existing urban area;

\_\_\_\_\_ (d) f ~~\_\_\_\_\_~~ Foster alternative means of transportation, including transit, bicycles and, walking;

\_\_\_\_\_ (e) ~~\_\_\_\_\_~~ promote infill development and pedestrian-oriented Streetscapes in currently undersedutilized parking areas and along existing roadway corridors; and

\_\_\_\_\_ (f) p ~~\_\_\_\_\_~~ Promote shared parking areas in the design and development of mixed-use projects.

\_\_\_\_\_ (2) ~~\_\_\_\_\_~~ Rezoning Rrequirements

\_\_\_\_\_ (a) ~~\_\_\_\_\_~~ Application for rezoning to MU shall not be allowed ~~permitted for residentially zoned properties located in historic districts, as shown on the Historic Districts map 3 at the end of this chapter, and~~

\_\_\_\_\_ (b) ~~\_\_\_\_\_~~ Requests for rezoning to MU shall ~~requires~~ a master plan pursuant to Section ~~(§14-3.8).~~

(2) ~~\_\_\_\_\_~~ Site Design Elements

**Comment [JBC256]:**

EXPLANATION: Obviously... isn't that what all zoning regs. are for?

**Comment [JBC257]:**

EXPLANATION:  
Duplicative of rezoning requirement 2(a)... only need it one place or the other...

**Comment [CLG258]:**

EXPLANATION:  
Superfluous – isn't this what all rezoning allows? I.e. – the specific uses permitted in the specific district?

**Comment [JBC259]:**

EXPLANATION:  
Duplicative of last sentence of (1) above...

**Comment [JBC260]:**

EXPLANATION:  
This appears to be a list of requirements for development plans in MU districts... Belongs in 14-3.8...

3 The Historic Districts map is set forth in the Appendix to this chapter as Exhibit C and incorporated in this article herein by reference.



Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

—— All Mixed Use development applications shall address the following site design elements:

(a) ~~Building Massing~~

—— Frequent entrances, the use of covered arcades, human-scale features and windows are encouraged. ~~Blank walls are discouraged.~~

**Comment [CLG261]:** definitely a DP issue

**EXPLANATION:**  
Yes, and already a default dev. plan requirement in 14-3.8...

(b) ~~Traffic Circulation and Pedestrian Access~~

—— Internal traffic circulation shall be compatible to pedestrian access and transit facilities. Direct, continuous pedestrian connections, using pedestrian walkways or sidewalks shall be provided between any parking, or public parking facilities and the use(s) served. Overall development design shall emphasize pedestrian amenities including interconnecting pathways and a seating design.

**Comment [JBC262]:** **EXPLANATION:**  
Moved to 14-7 as an MU design standard...

**Comment [JBC263]:**

**EXPLANATION:**  
Already a default dev. plan req., 14-3.8...

(c) ~~Art and Amenities~~

—— Art work,, sculptures, fountains and murals are encouraged in the mixed use development — in entries, lobbies, walkways, and common areas.

**Comment [JBC264]:** **EXPLANATION:**  
Moved to 14-7 as an MU design standard...

**Comment [JBC265]:**

**EXPLANATION:**  
Added as MU-specific dev.plan requirement... 14-3.8

**Comment [JBC266]:** **EXPLANATION:**  
Moved to 14-7 as an MU design standard...

(3) ~~Rezoning, Master Plan, and Development of Individual Lots~~

(a) Application for rezoning to Mixed Use District shall not be permitted for residentially zoned properties located in an historic district as set forth in §14-5.2 and shown on appendix A4 at the end of this chapter.

**Comment [JBC267]:**

**EXPLANATION:**  
Moved to "Rezoning requirements" section (2) above with minor edits...

(b) Applications to rezone to MU districts may be submitted simultaneously with an annexation request or for land already located within the City in accordance with the general plan. In addition to meeting all other requirements set forth in this chapter for rezoning, applications for rezoning to MU districts shall include a master plan as set forth below. Revisions to the master plan shall be reviewed by the Planning Commission. A reproducible original of the master plan shall be placed on record in the Land Use Department. Development shall occur in accordance with the approved master plan. The master plan shall be recorded with the County Clerk.

**Comment [JBC268]:**

**EXPLANATION:**  
Concurrent processing of rezonings and annexations now covered by 14-3.1(K), "Simultaneous Processing of Development Applications "

**Comment [JBC269]:**

**EXPLANATION:**  
Already a requirement of 14-3.5 for rezoning to be in accordance with the General Plan...

**Comment [JBC270]:**

**EXPLANATION:**  
Moved master plan requirement to "Rezoning requirements" section (2) above...

(c) The master plan shall include the following. As appropriate the information may be provided at a schematic level:

**Comment [JBC271]:**

**EXPLANATION:**  
Indicated in 14-3.8 that PC specifically given master plan revision authority in MU...

(i) Existing conditions on site and on adjacent properties including boundaries, zoning, footprints of existing structures and uses of proposed principal structures if known;

**Comment [JBC272]:**

**EXPLANATION:**  
Already in 14-3.8...

(ii) Existing topography and drainage and proposed modifications;

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

(iii) Existing landscape conditions and proposed landscape improvements;

(iv) Ingress and egress to public streets, existing and proposed vehicular, bicycle, pedestrian circulation systems including possible parking locations and access to public transit;

(v) Proposed land uses; existing and proposed infrastructure;

(vi) Open space systems, trails and all common amenities; schematic layout of possible future lots and/or the extent of buildable areas including required setbacks;

(vii) Traffic impact analysis; and

(viii) Other information as may be requested by Land Use Department Director at a pre-application meeting. (Ord. No. 2007-45 § 30)

(d) If a sufficient level of detail is provided at the time of master plan review, the master plan, or portions of the master plan, may be considered the development plan for review purposes.

(e) The creation and/or dedication of streets; utility, drainage, vehicular or pedestrian easements; and open space shall require the approval of a separate plat, which may be reviewed simultaneously with the master plan and recorded with the County Clerk.

(f) In order to allow lots to be created to accommodate specific uses as needed, the Planning Commission may approve multiple and sequential lot splits. If the lot is adjacent to a residential district, or residential use, the Planning Commission shall simultaneously review a development plan.

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**\*Editor's Note:** Exhibit A, referred to herein may be found in the Appendix at the end of this chapter.

**\*Editor's Note:** Exhibit B, referred to herein may be found in the Appendix at the end of this chapter.

**Comment [JBC273]:**

**EXPLANATION:**

All already default master plan reqs. 14-3.8...

**Comment [JBC274]:**

**EXPLANATION:**

Already in 14-3.8 – master plan section...

**Comment [JBC275]:**

**EXPLANATION:**

Already in 14-3.8...

**Comment [JBC276]:**

**EXPLANATION:**

Basically about "serial subdivisions" – if decided that this is a good tool generally (in lieu of serial development plans, effectively), then should be moved to 14-3.7 and written to have broader applicability, a tool for all planned communities. Indicated in 14-3.7.

**Comment [JBC277]:**

**EXPLANATION:**

As noted on similar provision in 14-4 BIP, should this – development on lot adjacent residential area -- be a third dev. plan trigger?

**Comment [JBC278]:** Drafted 14-

3.1(K) on "Simultaneous Processing of Development Applications" to cover concurrent processing of development plans and "subdivision, resubdivision, or land division plat"...

Text: Underline = New Material; ~~Black Strikethrough~~ = Removed Material (color depends on drafter)

Comments: **Green** is explanatory; **Blue** is for discussion; **Red** is issue remaining to be addressed

~~\*Editor's Note: Exhibit C, referred to herein, may be found in the Appendix at the end of this chapter.~~